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THE CLAIMS OF WHIG GOVERNMENT.

THE *Edinburgh Review* contains a manifesto addressed on behalf of the present Ministry to the constituencies, in view of an election which cannot be long deferred, and which had better come as soon as possible if the notion propounded by the writer is true, that the present Parliament is effete and incapable of serious legislation. The object of this article is to show that what it calls Whig Government has an indefeasible claim to govern England in perpetuity. England, it is urged, is a very great country, and it is to the Whigs that it owes its greatness. A Revolution was made once for all in 1688, and, having at that early period closed the era of violent change, the country has since gone on in the true way. We have every blessing we can want—a monarchy which hurts no one, and is loved by everybody; an aristocracy into which entrance is easy, and which has no privileges; an Established Church, combined with a reign of religious liberty; and a debt that scarcely presses on us, as we are so rich. For all these good things we have to thank the Whigs. Sometimes the Whigs see that activity is wanted, and then, as in the earlier years of Mr. GLADSTONE'S Government, they are beneficently active. Sometimes they see that quiet is all that the country requires, and then they can be beneficently quiet. But the right kind of quiet, as well as the right kind of activity, is only to be got from the Whigs. In the present state of the world it is even more necessary than usual that the Whigs should be in office. The earth, we are told in a highly metaphorical passage, is now in a condition of extreme fermentation; railroads and telegraphs have made fissures in it, and it has pleased Providence that this little island should be a sort of crater continually throwing up eruptions of intelligent power. To manage such a crater properly is, it will be confessed, a work of some difficulty and such as demands the superintendence of very good and clever men. But the best and cleverest men are always Whigs, and so they must keep an unceasing watch over the crater, or there is no knowing where the lava may go. This disposes of the notion that a Liberal Ministry which has no striking Liberal measures to propose is no longer wanted. The crater is always there, bubbling up English intelligence for the benefit of the world at large, and somebody must attend to it. The Whigs, when they have no call to do anything else, have a call to carry on the ordinary business of the country. Their first claim to have this task confided to them is their inherent and abiding personal fitness. Of course the Reviewer must only be taken to be speaking generally, and as a man who makes a wide survey. He would probably himself smile if he heard Mr. BRUCE at the Home Office described as a person directing the eruptions of intelligent power. He means us to look at Whig Cabinets and Whig history as a whole, and then he is sure every one will agree with him. The next claim of the Whigs is that resting on the gratitude due to them. They have done much for the country, and the country ought to do a little for them. They have preserved, and possibly invented, the English Constitution; they have made England rich, they have stuck the Crown, the aristocracy, and the Church into precisely the right niches. It is not much that in return they should be invited to manage public affairs. Lastly, the Whigs may fairly claim to hold office, because their holding office is the only signal and convenient way of punishing the Tories which the country can adopt. While the Whigs have been always right, the Tories have been always wrong, and if ever men deserved to reap as they have sown, and to be kept eternally on the Opposition bench, those men are the Tories.

There are points in this description which seem open to some criticism, and there is an air of high colouring about

it throughout. We feel, while we read it, as if we were at a wedding breakfast, and Whiggery was the bride, and was having her health drunk; and we also feel that, without disputing her amiability or beauty, we should not be sorry when the process was over. But if we only look at the primary intention of the writer, and suppose him to be insisting that the Liberal party during the last forty years has carried a great variety of useful reforms, and that the immunity of England from violent change during that period has been principally due to the fact that those reforms have been carried, no statement can be more unexceptionable. Nor is it to be contested that the country may often do very wisely in leaving those who have carried great reforms to manage public affairs without demanding from them constant legislative experiments. But then this manifesto of Whig claims is addressed to the constituencies on the eve of an election, and the real question is, what is its value as a means of determining the votes of waverers? Steady partisans will of course vote with their party, but there is a considerable body of persons who are not steady partisans, and are liable to be swayed this way or that, and the next election will probably be held under circumstances which will make this body an unusually large one. The new difficulty which the friends of Whig Government have to face is that, whereas they appeal to the public as moderate Liberals, the Conservatives do exactly the same. In his speech made on the occasion of the late crisis Mr. DISRAELI unfolded, what in American language would be called this new departure of the Conservatives. There is no use, he said, in going back on the past. The Conservatives opposed, but they now accept, Free-trade, as in the same way they accept the disestablishment of the Irish Church and the Ballot. The Conservatives have been beaten or educated into moderate Liberals, and in real life there is no perceptible difference whatever in the opinions of the great bulk of moderate members of the House of Commons, although they sit on different sides. The Conservatives accept what has been done, and all they urge is that the country does not need any more serious changes at present. But this is exactly what the apostle of the Whigs says. He laughs at the fantastic notions of Republicans, of Mr. MIALL and Mr. MILL, and scouts the idea of Whigs having anything to do with them. The Whigs, he says, have no programme, for they want none. Their task at present is to keep quiet and watch the crater. But the Conservatives also have no programme, are perfectly ready to keep quiet, and wish to have their turn of watching. The contest is between two sets of moderate Liberals, each of which proposes to do nothing in particular. So far the elector may reasonably think that there is not a pin to choose between them. But he may foresee that some day an attempt to disturb this reign of quiet will come, and so he asks himself which party is most likely to welcome such an attempt. If he fancies that he should be in favour of change in the course of time, he will lean to the party of Mr. GLADSTONE; if not, he will lean to the party of Mr. DISRAELI. It is impossible to see any signs of a Conservative reaction in the sense of a growing desire to reverse any portion of the policy to which moderate Liberalism has carried us; but it is not hard to see that there are many persons who, out of two sets of moderate Liberals equally professing to do nothing, incline to select those whose wish to do nothing is likely to last the longest. It naturally contributes to the growth of this feeling that the only changes proposed by any set of politicians are of a very crude, extreme, and vague kind. As the Whigs have no programme, those who judge them suppose that the next time they get a programme they will borrow it from the Radicals. The Conservatives, on the other hand, have the singular luck to be free from allies whose folly compromises them. There may be Conservatives on an humble provincial stage who advocate real re-

action and dream of undoing past Liberal triumphs. But they are lost in obscurity, and the party remains uncompromised by them.

There is another way of looking at the matter, and that is to ask whether a change of Government would be likely to be in any way beneficial to the nation. Very few electors will practically give their votes in order that remote national benefits may flow from their decision; but it is possible that some may, and the Reviewer turns the attention of his readers in this direction by concluding with an entreaty that the constituencies will elect, not only Whigs, but a proper number of clever young Whigs, so that the traditions of statesmanship may be carried on to another generation. There is, as he truly says, a great dearth of rising young men on both sides. This is more conspicuous on the Conservative side, because it has happened that three of their most prominent leaders have inherited peerages, and have been kept out of the House of Commons at a comparatively early age. But it is quite true of both parties. Nor have we any real hope that a new election will do anything to remedy the evil. The rage is all for local men. There are plenty of young Liberals with at least high hope and ambition who would have been very glad to contest the seat now vacant at Bath if they could but have got a chance; but the Liberals of Bath had far other views, and could not abide the notion of being represented by any one but their own Mr. MURCH. To try to get into Parliament without local influence is now very often to waste money and thought and the best years of life; and, if possible, a seat is harder to retain than to get by politicians who aspire to be the sort of men whom the Reviewer asks the constituencies to return for the benefit of the nation. Year by year and Parliament by Parliament the House of Commons tends to become more and more an assembly of men who in their different districts have power or wealth or name. It will perhaps become more and more like Colonial Legislatures. But if this is to happen, and if the dearth of statesmen is likely to become a serious evil, it certainly seems a great waste of power that, in deference to Whig claims, the country should have to lose for ever the services of the leaders of the Conservatives. Between two sets of moderate Liberals equally proposing to do nothing, the imaginary elector longing to benefit his country might be tempted to give the preference to that set who could bring new physical strength and new intellectual power into the Government. To have two bodies of men trained in office and fairly competent to hold it must be better for a country than to have one. Candid men of both parties would probably allow that Lord GRANVILLE and Lord DERBY would make equally good Foreign Secretaries, but what the advocate of Whig claims urges is, that Lord GRANVILLE ought always, and Lord DERBY ought never, to be in office. To some extent the feeling that it is fair now to give the Conservatives a turn of office may be expected to operate at the next election, and within limits the feeling seems not only a natural but a legitimate one. At a period when local candidates bar so stoutly the way into Parliament to men who aspire to be statesmen, the argument that a change of Ministry will increase the stock of official strength and experience in the country is not without weight.

SPAIN.

THE disturbance in Madrid, and the consequent abolition of what remained of constitutional authority, are necessary steps in the process of fermentation of the original rose-water of the revolution. When the KING retired, it was with reason alleged that all legal power necessarily devolved on the Cortes, who in their turn accepted the form of government which was imposed upon them by an active minority. It was arranged that the Republicans and the Radicals, as they are called, should divide between them the Ministerial offices, and that both parties should govern under the authority and by the support of the Cortes. A few days afterwards the mob of Madrid compelled the Radical members to withdraw, but the fiction of Parliamentary government was still maintained. The majority has since on more than one occasion attempted to assert its rights, but it has again and again been deterred from action by the threat of an insurrection. When the Cortes adjourned, their functions were vested in a Permanent Committee, which has on more than one occasion differed from the Ministers. The result of the conflict has been the violent overthrow of the compromise, and the establishment of the Republican Ministers in power as a revolutionary Committee or Provisional Government. The transactions which led to the ultimate rupture are but partially

intelligible. It is asserted that a body of volunteers opposed to the Republic commenced an insurrection against the Government, and that they were defeated by the Republicans. It is at least equally probable that the provocation came from the opposite quarter, and that the Conservative volunteers acted in defence of the legitimate rights of the Cortes and the Permanent Committee. Whatever may have been the immediate cause of the quarrel, a revolutionary movement was inevitable. The progress of anarchy has, since the abdication of the KING, been rapid and uninterrupted. The principal towns are in the hands of demagogues avowing the wildest doctrines; and in some places the formal partition of property has begun. The army is almost dissolved, and it is only through the contemptible character of its opponents in the field that the Republic retains, even nominally, the character of a Government. In the impending elections the Conservatives and Radicals, who form together the bulk of the nation, will probably take no part, and a revolutionary Cortes will command no respect, except perhaps from its own adherents. As soon as any party succeeds in organizing a regular force, some successful military leader will become master of Spain.

The Spanish Government has derived one advantage from its political and military weakness. The utter inability of the Carlists to profit by their unexpected opportunity conclusively proves the hopelessness of their enterprise. They could scarcely have expected, at the renewal of the insurrection several months ago, that troops would refuse to march against them on the pretext that the establishment of the Republic implied the abolition of compulsory military service. The present Government, through policy or timidity, has all but recognized the adherents of the Pretender as ordinary political opponents. More than one Carlist newspaper published in Madrid records with ostentatious sympathy the real and imaginary exploits of the rebels in the North, but the Carlist leaders provide their supporters with but a meagre supply of victories. The official accounts of successes achieved by the Republican troops may probably be exaggerated, but it is certain that the Carlist chiefs have neither made any considerable progress, nor elevated the insurrection into the rank of a regular war. Their predecessors, in the time of the first DON CARLOS, frequently met the Government forces in the field, and under ZUMALACARREGUI they at one time attained a superiority which seemed to render possible the restoration of absolute monarchy. The insurgents of the present day can only levy tribute on unarmed villagers, even at a time when the commanding officers of the Republican forces are sufficiently occupied in promoting or checking mutiny and desertion. It is difficult to understand how the Carlists procure money or arms since the French frontier has been more rigidly guarded. The English subscription in their favour has apparently collapsed, notwithstanding the indulgent opinion of the law officers; and it is satisfactory to learn that Mr. GLADSTONE was erroneously supposed to regard it with indifference or approval. Perhaps even political and religious enthusiasts are beginning to understand that, whatever may be the case in a regular civil contest, encouragement of partisan warfare is essentially immoral. Armed bands levied by insurgent leaders can only maintain themselves by plunder, and they are strongly tempted to practise cruelty for the purpose of inspiring terror. The Carlists have no reasonable prospect of ultimate success, except in the event of the establishment of a loose Confederation, which might possibly leave them a portion of the Northern provinces for their share.

The Alfonsists, who will sooner or later be the most formidable opponents of the Republic, have for the present judiciously effaced themselves. Their best chance depends on the probable failure of the Republican experiment; and any hope which they may have entertained of immediate accession to power must have been disappointed through the progress of disaffection in the army. The mutinous soldiers object not to the Republic or to Monarchy, but to discipline, to obedience, and in general to military service. SERRANO, who, if he could have counted on the army, might perhaps have attempted a restoration, has on more than one occasion been consulted by the Provisional Government; but it would seem that his influence over the troops is no longer paramount, and it is reported that since the last struggle in Madrid he has fled or concealed himself. The Republican Government is at the same time embarrassed and secured against immediate danger by the former success of the party in demoralizing the army. FIGUERAS and CASTELAR require the aid of regular troops to maintain public order; but a disciplined and efficient army might perhaps not be altogether at their disposal. The extreme demagogues of the great towns, though they may complain of the moderation of the Government, hesitate to break into open revolt against the Republican leaders.

There is reason to believe that the great majority of the nation, including nearly the whole of the upper and middle classes, is opposed to the Republic; but in the absence of regular troops physical force always rests with the rabble. Occasional excesses committed at Barcelona or at Malaga gave temporary aid to the Government, by depriving its opponents of all temptation to undertake the task of restoring order, but the revolution has now passed beyond the control of moderate Republicans. The so-called Radicals of the Conservative Opposition were partially aware that it would be impossible for any but the Republican party to administer the existing Republic. A courageous majority of the Cortes might, on the abdication of the late KING, have assumed supreme power, with the professed object of maintaining the Constitution which was lawfully established; but when they allowed the occasion to pass, by acquiescing in the proclamation of the Republic, they transferred to their adversaries the legitimate control of public affairs. The Republican leaders are in their turn learning by experience the valuable lesson that it is easier to impede the operation of government than to govern. CASTELAR, a congenial disciple of MAZZINI, whose dreamy theories were never tested by practice, is by this time in a condition to correct the doctrines of his master.

Although it is thought necessary for every successive Government to pledge itself to the maintenance of the national dominion, thoughtful Spanish statesmen cannot but recognize the increasing difficulty of pacifying and governing Cuba. In the colony the Republic inspires neither sympathy nor confidence; for the dominant Peninsular party suspects the tendency of the Republicans to emancipation, and the disaffected Creoles desire to throw off Spanish supremacy, by whatever party it may be exercised. Even if the mutinous propensities of the army at home should, in spite of probability, not extend to Cuba, it will be impossible to provide reserves and reinforcements on the customary scale. The report of a military insurrection in Porto Rico, though it has been contradicted, probably indicates the existence of insubordination among the troops in the colonies. The higher officers in Cuba enjoy opportunities of enriching themselves which may probably reconcile them to temporary exile; but the duties of the men are in the highest degree irksome; and although their enemies may be contemptible, they are exposed to serious risk from exposure to the climate. The preservation of the colony would probably involve the maintenance of slavery, which the Republicans are pledged to abolish. On the other hand, the emancipation of the slaves would inflict ruin on the colonists of Spanish birth, who would no longer have any motive for struggling against the demand of the natives for independence. The irritation which was provoked by the menacing language of the American Government has subsided; and perhaps the PRESIDENT and the SECRETARY OF STATE may have reconsidered any design of annexation which they may formerly have cherished. General GRANT, indeed, announced in his Message to Congress his opinion that extension of the area of the Union was in general expedient; but fuller acquaintance with the state of Cuba will not have made the acquisition of the island appear more desirable. Even if the PRESIDENT retains his ambitious designs, he can scarcely count on the support of the Senate or of the Republican party. There are few Americans settled in the island; and the Creoles and the negroes would be equally unacceptable to the American people as fellow-citizens, while no machinery has been provided for governing them as subjects. The result of negro suffrage in the Southern States of the Union has been highly unsatisfactory, and many of the slaves in Cuba, unlike their coloured neighbours on the mainland, were born African savages.

There seems to be no hope of the termination of the rebellion in Cuba, either by force or by an amicable settlement. The revolt is even less respectable than the Carlist insurrection; for, after continuance during several years, it has not produced an army or an ostensible leader; yet it is favoured by the majority of the population, and only resisted by the population of Spanish birth with the aid of the regular army. The Spanish Volunteers, who seem to exercise nearly all the powers of Government, display remarkable spirit and energy; but their constant demand for reinforcements from home shows that their own resources are not adequate to the task of keeping the island in subjection. The stake for which they play is not insignificant; for the enormous profits of sugar cultivation render the continuance of slave labour for each successive year in a high degree important to the owners. The capital represented by the slaves themselves is so large that the interest on the amount, added to the cost of

maintenance, is probably equal to the wages of the same number of free labourers; but the great advantage of class labour is not that it is cheap, but that it may be counted on with absolute certainty. Free negroes or hired coolies would sometimes refuse to work; and their absence for a limited time might perhaps involve the loss of an entire crop. The present slaves, if they were emancipated, would probably, like the freedmen of Jamaica, procure a sufficient subsistence from the land, without troubling themselves to work for wages. The conductors of one of the most profitable kinds of industry in the world may be pardoned for regarding with repugnance the destruction of their own fortunes, especially as it would involve the probable ruin of the island. The active opposition which was offered in the Spanish Cortes to the emancipation of the slaves in Porto Rico can only be excused by the obvious probability that Cuba will be compelled to follow the example of the neighbouring colony. All parties concerned are in different degrees entitled to the good will and sympathy of foreign observers. It can scarcely be said that the slave-owners, the creoles, or the Spanish colonists, are wholly in the right or absolutely in the wrong; nor is the Republican Government in Spain responsible for the colonial complications which aggravate its domestic difficulties. Political revolutions, though they are for the most part unmixing evils, penetrate less deeply below the surface of society than social and economical conflicts. At present the prospects of Cuba are, if possible, even darker than those of Spain.

THE BUDGET DEBATE.

THE debate on the Budget was necessarily ineffective and desultory; for, except on rare occasions, the House of Commons accepts the financial proposals of any Government which commands the confidence of the majority. The notorious project of the Match-tax and the Succession duty proved to be too much for party devotion; but the present Budget, though it includes some questionable proposals, is not bad enough to be rejected. It is possible that a bolder and a better scheme might have been introduced if the Cabinet had contained fewer financiers. The simultaneous reduction of the Income-tax and of the Sugar duty seems to indicate a compromise; for Mr. LOWE declared two or three years ago that he intended to leave the Sugar duty as it stood; and he informed a deputation in the course of the present year that there would be no considerable surplus, or, in other words, that the American damages were to be paid out of current revenue. The change in the Sugar duties is the more unexpected because it is evidently intended as a step towards total abolition. It is not worth while to interfere with an important trade and manufacture, except for the sake of a large addition to the national income. Both importers and sugar-refiners will now be able to establish a strong case for entire relief, and if Mr. LOWE retains office for another year, he will probably have established one-half of that "freedom of the breakfast-table" which he has so often ridiculed. The reduction of the Income-tax is popular, but in spite of Mr. GLADSTONE's high authority, a million and three-quarters of surplus revenue might have been more advantageously applied to the redress of special grievances and anomalies. It is now admitted that the licence duty on brewers is indefensible, and the exceptional tax on third-class passengers by fast trains involves wanton and irritating harshness. The extension of the exemptions and deductions allowed to small incomes would have been strictly consistent with former legislation. The diminished value of money tells most severely on the recipients of small incomes, which are necessarily expended in the purchase of articles of consumption. The reduction of the tax will perhaps be justifiable if it has the effect of checking the agitation of discontented tradesmen.

Mr. WARD HUNT was justified in commenting on the excess of the actual surpluses during the last two or three years over the successive Estimates; but, as Mr. LOWE showed, Mr. HUNT committed a singular oversight in complaining that the opposite error of an unduly narrow margin had been introduced into the present Budget. It is true that the estimates of revenue and expenditure are closely balanced; and it is possible, though not probable, that there may be a slight excess of payments over receipts; but a year hence, if Mr. LOWE's calculations are approximately realized, he or his successor will start with a prospective surplus of 1,600,000*l.* arising from this year's provision for payment of one-half of the *Alabama* damages. The amount will be tempting to official or non-official financiers who may be inclined to abolish the residue of the Sugar duty. It is not likely that any change will be immediately made in the rate of Income-tax, which indeed is

already sufficiently low, if it is to be maintained at all. If the year is prosperous, another large surplus will perhaps give the opportunity of dealing at last with the Malt-tax. The best characteristic of the present Budget is that it exhausts the surplus, leaving nothing for Sir MASSEY LOPES or Mr. GOSCHEN. No more careless financial proposal was ever made than Mr. LOWE's offer of two years ago to surrender the House-tax to the ratepayers. In a few days it will be known how far local taxation is to be increased or readjusted; but happily it will be too late to transfer any portion of the burden to the National Exchequer. Sir H. SELWIN-IBBETSON and Mr. BENTINCK referred but hesitatingly to the resolution of last year, which their party in general have perhaps by this time recognized as a conspicuous blunder. The Government will quote the majority of one hundred in support of its scheme of local taxation; but good care will be taken not to defer to the expression of Parliamentary opinion as far as it was opposed to the Ministerial policy. If it had been intended to assume on the part of the Treasury a large portion of the expenses of lunatic asylums, or of other local establishments, the Estimates for the Civil Service must have been increased; and the surplus would have been reduced to the same extent. Captious critics have hinted that the actual Budget has, since the Ministerial crisis, been modified for the purpose of acquiring popularity with the constituencies. Any contribution from the public revenue to local expenditure would have been a more transparent bribe.

As there was no serious attempt or wish to disturb the arrangements of the Budget, the House, or some of its more active members, were at liberty to engage in collateral discussions. Mr. RYLANDS naturally took occasion to reproduce his favourite doctrine that taxation on real property ought to be increased. In common with many projectors, he commences with conclusions, and then proceeds to devise reasons for his opinions; and it now appears that an Income-tax of twenty per cent. ought to be placed on landowners because the National Debt is a mortgage on their property. It is true that no Minister or Parliament ever dreamed of pledging the land to the public creditor except as a part of the national substance. The contract with the fundholder is that the annuity which he has purchased shall be regularly paid, and that Parliament shall provide by taxation the necessary means for the purpose. If it were possible to raise six-and-twenty millions by a tax upon the utterance of idle nonsense, the money might, as properly as any other produce of revenue, be applied to the payment of the National Debt. It would be unjust to the other speakers in the debate to place them on a level with Mr. RYLANDS; but it cannot be said that Mr. CHILDERS directed any portion of his elaborate discourse to the defence or elucidation of the Budget. Mr. WARD HUNT, in conformity with a tradition which might be abandoned without practical inconvenience, undertook to prove that his own Administration had been not less frugal than that of his successors, although he had not been equally fortunate in profiting by a season of unusual prosperity. It may be natural that Mr. WARD HUNT should, as he said, never forget Mr. GLADSTONE's Lancashire speeches, which consisted in a great measure of denunciations of the extravagance of Mr. HUNT and his colleagues. Whatever may have been the justice or unfairness of Mr. GLADSTONE's charges, they were made between four and five years ago, and many things have happened since. That the Estimates of the present year are or are not, after due deductions and additions, larger or smaller than the Estimates of 1868, is a matter of infinitesimal interest. The House of Commons of the day is, in both cases, responsible for the expenditure which it sanctioned; and if Mr. GLADSTONE or any other statesman at any time maintained that reduction of expenditure was necessarily expedient, he affirmed an unsound proposition.

The best excuse for Mr. WARD HUNT's formal attack upon the Government is that it must have been expected by Mr. CHILDERS, who had armed himself with the most elaborate calculations for the defence of himself and his colleagues. Mr. CHILDERS is an able man, and a laborious student of the statistics of finance and administration; but perhaps between the hustings at Pontefract and the House of Commons he repeats the same speech unnecessarily often. The expediency of reducing taxation or of paying off debt is in no degree affected by the proof that so much has been saved on army expenditure, or that another branch of the Estimates has been cut down. In the result it is not easy to diminish the total cost of government at a time when the prices of all articles are rising, and while new demands for administrative improvements are constantly pressed on the Government. In some of his comparisons Mr. CHILDERS took the superfluous trouble of going back twenty

years, and he reminded the House of the familiar fact that the cost of the collection of the revenue was formerly not included in the Estimates and returns of public expenditure. Although the change was effected by Mr. GLADSTONE, it seems that Mr. CHILDERS almost regrets the new system of bookkeeping, because it makes the public expenditure apparently larger. The preponderance of authority is in favour of the insertion of all the items on both sides of the account; but no principle is involved in a formal arrangement of figures. It is remarkable that none of the speakers in the conversation of Thursday night recurred to the more important question of reducing debt, although occasional reference was made to the doubtful provision for the *Alabama* damages. Mr. WARD HUNT professed to think it strange that the Government should ask for a contingent power to borrow money, in a year which produced an unprecedented surplus. It would have been consistent with principle to borrow the whole of the money for the American demand, and to make the large reduction of taxation which would then have become possible. The actual proposal of the Government is open to criticism on two opposite sides, and Mr. LOWE abstained from defending a scheme which was probably adopted at the last moment in deference to his colleagues. A more uninteresting debate on a Budget has never been held.

THE PARIS ELECTION.

THE opinion of Paris has suddenly come to be of something like its old importance in France. The contest between M. DE RÉMUSAT and M. BARODET is watched with keen interest by the whole country. If the Minister is defeated, the policy of the Government will be understood to have sustained a serious check. If M. BARODET is defeated, M. THIERS's position will be regarded as materially strengthened. It was by M. THIERS's free choice that Paris has thus been raised from its low estate. A little time ago all parties in France seemed to have agreed to put Paris out of their calculations. The majority of the electors were known to be Radicals, and suspected of being Communists. The recent triumphs of the Republican cause have all been won in the provinces. Paris was treated as a thing apart, a difficulty which all Governments, whether Monarchical or Republican, would have to make the best of. In the natural order of events, therefore, the election of an extreme Radical to the vacant seat would have been of no moment. The Parisians might have returned M. BARODET, and no one would have thought of attaching any political significance to the event. Paris is an hereditary Irreconcilable as regards all settled Governments, and a very large discount has to be made for this fact in estimating the value of a Paris election. The appearance of M. DE RÉMUSAT as a candidate entirely changed the position of affairs. It proved that M. THIERS had determined to submit his policy to the judgment of the electors of Paris, and after this it will be impossible to treat the expression of that judgment with indifference. A Government cannot go out of its way to provide a test for its own popularity, and then throw discredit on the accuracy of the test it has itself chosen. M. DE RÉMUSAT's appearance in the field can have but one meaning. It is a declaration that M. THIERS believes that the fruit of his policy is ripe for picking, that the alliance between moderate Republicans and moderate Conservatives is at last secured, and that even in Paris, the chief centre and focus of extreme Republicanism, the leaven of moderation has so far done its work that the election of a Minister may fairly be counted on. It is plain that if M. THIERS proves to be right in his calculation, to-morrow's election may be a turning-point in the fortunes of the Republic. The return of M. DE RÉMUSAT will show that the Radical wolf has been tamed by M. THIERS's influence, and is now prepared to dwell peacefully with the Conservative lamb. This is the point upon which the Conservative lamb has hitherto been troubled with so many doubts. He has been comforted by M. THIERS's assurance that the millennium is really on the stocks, and has, on the whole, supported the Republic with praiseworthy zeal. Now M. THIERS no longer asks him to accept the fact on his unsupported testimony. He proposes to call the wolf himself into the witness-box, and to allow the lamb to judge by his behaviour whether the greatness of the change in him has been exaggerated.

It is not to be supposed that M. THIERS made up his mind to this bold stroke of policy without counting the cost beforehand. Yet it is difficult to believe that in his preliminary survey he attached as much weight as it deserved to the

peculiar position of his Government at the moment of M. DE RÉMUSAT's coming forward. Three months ago he might have done so with an almost certain prospect of success, for at that time it was the cue of the Left to support the Government against the reactionary hostility of the Right and the Right Centre. Since that time M. THIERS has given serious displeasure to the Left by his apparent desire to conciliate the Conservative Opposition. The policy of which M. DE GOULARD is regarded as the representative has been in the ascendant, and this fact has been made evident in a way peculiarly displeasing to the electors of Paris. They have not yet so entirely given up the hope of regaining their own tail as to wish to see other cities as tailless as themselves. A member of a Cabinet which had just joined in attacking the municipality of Lyons had therefore special obstacles to encounter in canvassing Paris. If this was fully taken into account by M. THIERS in the anxious meditations which must have preceded M. DE RÉMUSAT's definitive appearance as candidate, his decision must have been based either on the reported temper of the electors or on the hope of coming to terms with M. BARODET's supporters. In the latter case his calculations have come to nothing. Down to the beginning of the week there seems to have been some hope that M. BARODET might withdraw, but even the announcement of M. GRÉVY's intention to vote for M. DE RÉMUSAT failed to shake the extreme Radicals. It is not impossible that M. THIERS's persistence in putting M. DE RÉMUSAT forward as a candidate has been partly prompted by another motive than the simple belief that his man would win. It has all along been his custom to advance in the direction in which he wishes to sail by means of alternate tacks. From the moment that he had taken the decided step of depriving Lyons of its municipal government he would naturally be in search of a favourable opportunity for taking an equally decided step in the opposite direction. He had gone to one extreme to gratify the Right. It was now the turn of the Left to come in for their share of favour. The Assembly was not sitting; so that nothing could be done by means of a speech. M. DE GOULARD's dismissal would have had the effect he wanted; but M. THIERS has never liked to tie himself down to choosing his Ministers from one section of the Assembly. And, with M. DE GOULARD gone, the Right would be without any representative in the Cabinet. If M. DE RÉMUSAT became a candidate for Paris, there would be an obvious occasion for making a fresh Republican declaration. Even the Conservative supporters of the Government would see the necessity of doing all that it was possible to do in order to conciliate Republican votes, and in this way M. THIERS would be able to unsay a good deal that has lately been said by M. DE GOULARD and M. DUFAURE, without giving them the annoyance of an unprovoked contradiction.

This is the explanation of the phrase, "the integrity of universal suffrage," of which such good use has been made by M. DE RÉMUSAT's canvassers. Of all the changes which the majority in the Assembly are anxious to see effected before a dissolution, some modification of the suffrage is the most pressing. The creation of a Second Chamber can wait. The question who is to administer the Government between the dissolution of the present and the meeting of the next Assembly will probably settle itself. But upon the modification of the electoral law rests the one chance that the majority have of being a majority in the new Chamber. If the suffrage can be restricted, the elections may possibly go in their favour. If the suffrage remains unaltered, they are certain to be defeated all along the line. In the present condition of public feeling, the Conservatives do not think it prudent to advocate the abolition of universal suffrage; they content themselves with a proposal to regulate it. If by regulation were meant the adoption of additional precautions to prevent personation, there would be no objection to the proposal. The most impassioned advocate of the right of every man to vote will not maintain that it includes the right of every man to vote more than once. But with the French Conservatives regulation means more than this. It stands for restrictions in the way of age and length of residence which would have the effect of greatly reducing the number of the electors, and of reducing it by the excision of the classes among whom Radical opinions are, as a rule, most prevalent. M. DE RÉMUSAT's promise to respect the integrity of universal suffrage finally dissociates the Government from these views. If the word integrity means anything, it means that no man who has a legal right to vote under the law as it stands shall be deprived of that right by the promised Reform Bill.

The statement of M. BARODET's Committee, that he is put

forward with the view, not of opposing M. THIERS, but of enabling him to withstand the pressure of Monarchical conspirators, must be taken as a conventional tribute to their own character for consistency. That it can really impose upon a single elector is impossible. Every man who votes for M. BARODET will know that he votes against the Government, and ought to know that by doing so he helps to make it more difficult for the Government to continue to work with the Republican party. M. DE RÉMUSAT's defeat would not necessitate any immediate change of policy; but it would dispose many of M. THIERS's habitual supporters to welcome any disposition he might show to treat the establishment of the Republic as a question still undecided. It might not alter M. THIERS's own conviction on this point, but it would paralyse his efforts to get that conviction accepted by that great body of French Conservatives who would like a Republic as well as, or even better than, a Monarchy, provided that they could feel equally secure under either. If M. BARODET is returned, the occurrence of such a reaction seems inevitable, and it is this prospect that makes the issue of to-morrow's contest a matter of such grave moment.

THE DEBATE ON CENTRAL ASIA.

THE discussion of Tuesday last on the question of Central Asia was interesting and instructive, though it had little practical bearing. Oriental subjects, if they sometimes fail to attract general attention, have the advantage of being almost exclusively treated in Parliament by competent and well-informed speakers; but the result of the debate is to confirm popular impressions which may have been originally founded on imperfect information. The progress of Russia may be regarded either with the solicitude which inspired Mr. EASTWICK's motion, or with the cheerful confidence of Sir C. WINGFIELD and Mr. GRANT DUFF; but there is no serious difference of opinion either about the facts of the case, or on the expediency of maintaining an expectant and vigilant policy. Mr. EASTWICK suggested the occupation of certain military positions which might be useful in the contingency of a war, and it will be universally admitted that the fortifications of Peshawur ought, if necessary, to be rendered defensible, and that it would be desirable by degrees to reduce to permanent submission the predatory tribes of the Northern frontier. Measures of this kind would be useful even if Russia had been stationary; and the increased possibility of foreign complications furnishes additional reason for all prudent precautions. The recent negotiations with Russia meet with but faint approval from persons of Indian experience, on the ground that it is undesirable to limit in any way the freedom of future action. The counter engagements of Russia are probably of little value, inasmuch as reasons or excuses for interfering with Afghanistan, in spite of the recent correspondence, may readily be found. Official journals at St. Petersburg and Moscow have already explained away Count SCHOUVALOFF's undertaking to abstain from a permanent occupation of Khiva. The EMPEROR, it is said, only announced his actual intentions, without pledging himself in any way to a foreign Power. It would be not less easy to contend that the occupation of Badakshan had been rendered permissible and necessary by a change of circumstances. Lord GRANVILLE can scarcely be blamed for completing a negotiation which was voluntarily commenced by his predecessor; and possibly Lord CLARENDON may have judged rightly in placing on record the right and intention of England to resist any operation which might be thought dangerous to India. It is scarcely probable that any more solid concession could be obtained without a menace of war; and the most anxious alarmist would not maintain that the time has come for opposing the further advance of Russia by force. When action is necessarily renounced or adjourned, it is rather an intellectual pastime than a political proceeding to inquire whether the possible civilization of barbarous tribes compensates for the unwelcome vicinity to India of a formidable rival. It is certain that Russia will both extend and consolidate her dominion in Central Asia, without regard to the prudent fears of Mr. EASTWICK or to the sanguine anticipations of Sir C. WINGFIELD. The conquests which have been made within the last twenty years probably affect English interests less directly than the establishment of Russian influence over Persia, which it is nevertheless impossible to prevent. Since the recent commencement of the campaign, Russian troops have traversed Persian territory as if it were their own; and there is no reason to suppose that the encroachment has been resented.

It matters little whether a steady and consistent policy of

aggression is the result of perpetually recurring causes or of a deliberate purpose. Mr. GRANT DUFF may perhaps be justified in regarding the legendary will of PETER the GREAT as a fiction; but the traditions and the tendencies which are embodied in the imaginary document are living forces. The real or pretended disobedience of ambitious generals, the provocations which are offered by barbarous neighbours, and the consequent vengeance which, as if by accident, assumes the form of conquest, all contribute in their turn to the extension of the limits of the Empire. As long as Russian ambition confines itself to the remote regions of Central Asia, England has neither the right nor the power to oppose it; and projects for interference with the English rule in India, though they may have been occasionally entertained, have rarely assumed a definite form. During the Crimean War Russia would have been fully justified in attempting a diversion in India; but the plan of invasion which was at that time proposed was hopelessly chimerical. It would have been far easier to organize an insurrection in Poland than to send a Russian force to operate in India. From time to time there may have been some secret or unauthorised intrigues; but during the mutiny no suspicion ever arose that Russian agents were tampering with the army or with native princes. It is of course possible that Afghan refugees who are now under Russian protection may form plots against the reigning AMEER, nor would it be easy to prove that their designs might not have been directly or indirectly countenanced by Russian officers; but the Russian Government has disavowed any intention of interfering in Afghan affairs, and Mr. GLADSTONE's statement that no liability has been incurred on the part of England will remain on record as the English interpretation of the recent correspondence. It seems, unless Mr. GLADSTONE has been misled by his love of ambiguity, that the term "neutral zone" was understood on both sides to have no special meaning; and in the later communications other phrases were substituted. It will be the duty and the policy of the Indian Government to restrain the rulers of Cabul by advice and by influence from encroachments on the territory of their Northern neighbours. According to Mr. GLADSTONE, moral force only is to be used; and, if diplomacy failed, the Russians would perhaps not greatly regret a violation of the frontier which would practically relieve them from the obligation of their recent pledges.

The most definite conclusion which can be drawn from the debate is that the appointment to the Persian Mission ought once more and finally to be transferred to the Secretary of State for India. The Foreign Office has hitherto prevailed in the contest between the departments because the Foreign Minister has for the most part been superior in official influence to his Indian colleague. Lord PALMERSTON's long supremacy was far beyond the reach of rivalry; and Presidents of the Board of Control of the rank of Sir JOHN HOBBHOUSE or Mr. VERNON SMITH would, however their official attributes might have been nominally defined, have been merely his subordinates. As Prime Minister, he naturally supported the claims of his former office, and Lord CLARENDON's experience and reputation rendered it difficult for his colleagues to question his authority. The Duke of ARGYLL is equal in capacity to Lord GRANVILLE, and he had, even before his accession to his present office, acquired extensive knowledge of Indian affairs; but it is difficult to alter an established practice; and the Foreign Office has always clung with excessive tenacity to the control of Persian affairs. One of the results of the actual distribution of patronage and business was the resignation by Sir HENRY RAWLINSON of a post which he was eminently qualified to fill. A Secretary of State for Foreign Affairs has but little choice of qualified candidates; and it is generally thought that the latest appointment was in a high degree inexpedient. The excuse for the present arrangement is that the affairs of Persia are mixed up with those of Turkey and Russia, which belong to the sphere of European politics; but it might on similar grounds be contended that Afghanistan or Khelat ought to be placed under the superintendence of the Foreign Office. The diplomatic and territorial encroachments of Russia on Persia are only important to England as they may affect the security or the policy of the States which lie between Persia and India; and only Anglo-Indian statesmen hold the key of complicated Oriental intrigues, and understand the character of the princes and Ministers with whom an Envoy in Persia has to deal. Mr. GRANT DUFF oddly appealed to Mr. EASTWICK to exercise his own personal influence at the Court of Teheran in favour of peace and moderation; nor is it impossible that an Indian civilian of long experience may obtain a more favourable hearing than an agent of the Foreign Office. The absurdity

of the existing system was still more clearly illustrated by the judicious selection of Mr. GRANT DUFF to represent the Government in a debate on the affairs of Central Asia which necessarily included frequent reference to Persian politics. With the exception of his chief, no other member of the Government is equally familiar with the relations between India and Persia; yet, when instructions are sent to the Minister at Teheran, the despatches are not communicated, except perhaps as a matter of courtesy, to the Duke of ARGYLL and Mr. GRANT DUFF. An Indian resident at the Court of Teheran would watch with unceasing vigilance any measure which might even remotely be dangerous to India, and in many cases he would probably, like Sir JOHN MALCOLM and Sir H. RAWLINSON, acquire an influence which would be equally beneficial to Persian and to Indian interests. When the power of Russia in Central Asia becomes more fully consolidated, it will often be necessary to conduct informal negotiations directly between Calcutta and St. Petersburg, although, as a great European Power, Russia will of course continue to communicate with the Foreign Office.

Notwithstanding his characteristic optimism, Mr. GRANT DUFF commented severely on the false commercial policy which involves a possible risk of collision between Russia and England. In conquering markets and sources of supply the Russian Government interferes with the commercial interests of England. NAPOLEON's Continental system would alone have justified the perseverance of England in the war, because his extensions of territory, and the treaties which he imposed on neighbouring States, were in a great measure directed to the exclusion of English commerce. The trade which passes through India into Central Asia is at present comparatively limited, but it will inevitably extend as long as the local Governments are not sufficiently civilized to devise systems of protection. At the Russian frontier line, wherever it may be drawn, commercial intercourse ceases. It is to prevent such exclusion that the Indian Mission will proceed to Eastern Turkestan in the hope of concluding a commercial treaty. If that country should be afterwards subdued by Russia, it would be reasonable to stipulate for the maintenance of the relations which may have been established with the present ruler. One of the numerous reasons against precipitating a conflict with Russia is the certainty that within a longer or shorter time the demonstrable principles of free trade will be generally adopted. Russia, like England, will find that it is possible to deal with a shop without first serving an ejectment on its owner; and conquest will become at the same time less tempting and more harmless to peaceable neighbours.

MR. FAWCETT'S BILL.

THE opponents of Mr. FAWCETT's Bill wisely contented themselves on Monday with slaying the slain. Mr. MITCHELL HENRY's amendment would have been relevant to the half of the Bill which had been withdrawn, but it was altogether irrelevant to the half which had been retained. Even on the hypothesis that a satisfactory settlement of the question of University Education in Ireland cannot be arrived at without the appointment of a Royal Commission to take evidence as to "the opinions and wishes of the Irish people generally," there is no special reason for appointing such a Commission at this moment. The Dublin University Tests Bill does not profess to settle the question of University Education in Ireland. Its appearance in its latest form is an admission that, in the opinion of all parties, the question must for the present be left where it is. In the natural course of legislation, the abolition of tests in Trinity College, Dublin would have been included in the Act which disestablished the Irish Church. For more than three years the position of the College has been anomalous to an extent unexampled even in Ireland. As Mr. GLADSTONE pointed out, while it has been thought undurable that the endowments of English and Scotch Universities should be confined to members of Established Churches, the endowments of the principal Irish University have been confined to members of a Church which is no longer Established. The justification of this anomaly was the intention of the Government to make the question of University Education a separate feature of their Irish policy; and so long as that intention was still unfulfilled and still entertained, it was convenient to defer legislation upon the cognate subject of tests in Trinity College. This justification exists no longer. The policy of the Government upon University Education in Ireland has been declared and rejected. In the words of the PRIME MINISTER, the Ministry are out of the way, and

their business is to give place to others who may be more fortunate than they have been. There can be no excuse for maintaining tests in Trinity College until such time as another Government is prepared to try its luck with another policy. Even if a Royal Commission had already collected and digested the multifarious information of which Mr. MITCHELL HENRY desires to see Parliament put in possession, there is no one in a position to make use of it. Those who are really anxious to consult the wishes of the Irish Catholic laity in the matter of University Education have been prevented from doing so by the very persons whom they wish to gratify. Unless Home Rule is to be conceded in substance while denied in form, the opinions of the people of England and Scotland must in some measure be consulted in the action of the Imperial Legislature. The Irish laity have chosen to put their cause into the hands of the bishops, and it serves the turn of the bishops to mix up a grievance which admits of a remedy with a grievance which does not admit of a remedy. It would have been difficult in the present state of English feeling to affiliate a Roman Catholic College to a mixed University, but if the Irish Catholic laity had been satisfied with this concession, it might not have been beyond the power of the Government to induce Parliament to grant it. By declaring that nothing will content them short of the endowment of a Roman Catholic College, if not of a Roman Catholic University, they have made the Government helpless. There is no chance that a Conservative Ministry will succeed in carrying what a Liberal Ministry has not ventured to propose. Concurrent endowment in Ireland might have been swallowed by the Conservatives if they had seen in it an additional bulwark to the Established Church. It cannot possibly be made palatable to them now that they would regard it merely as an additional insult to the disestablished Church. Yet the most sanguine Irish member cannot imagine that a Bill endowing a Roman Catholic College can be passed except by the Government of the day. That the bishops should have no desire to part with the last Irish grievance over which they will have any control is intelligible; but the readiness of Irish Catholic parents to reject a Bill which would have enabled them to send their sons to the University of Dublin without sacrificing denominational education can only be explained by the supposition that those whom Mr. MITCHELL HENRY describes as the "classes" "practically interested in the question" are in their hearts comfortably careless about it.

It is possible that the Irish members have been misled by a belief that, though concurrent endowment can no longer be regarded as a bulwark to the Established Church, it would still have a claim on the Conservative party, as making it possible to preserve the denominational character of Trinity College. If the Conservative trumpet sounded the same note in Ireland as in England, this might not have been a wrong calculation. But the debate on the Irish University Bill made it abundantly clear that the Conservative belief in the importance of combining education with religion is not sufficiently fortified to stand a sea voyage. Even Mr. HARDY, who is the accredited prophet of this faith in England, gives it up when he is asked to apply it to Ireland. A very slight observation of Irish Conservatism might have satisfied a candid observer that this would be the case. Even in the best disciplined party, denominational education is too big a morsel to be thrust down unwilling throats; and in Ireland the persons who, in the nature of things, might have been expected to be Denominationalists, have one and all come forward as Secularists. The authorities of Trinity College, who have the right to be first heard upon this question, are among the foremost supporters of a Bill which leaves them their revenues, and only deprives them of their religion. The disestablished Church is too busy in altering its theological standards to have any thought to spare for the maintenance of theological teaching. The great body of Irish Protestants would at any time see a pound taken out of their own pockets if by that means they could prevent a pound from going into Roman Catholic pockets. Any Bill, therefore, which proposed to open the University of Dublin to Roman Catholics on terms consistent with their subjection during the period of their residence to the teaching and discipline of their own religion, would be unpopular with the majority of Irish Conservatives, and on an Irish question the policy of the Conservative party is naturally determined by the views of the Irish section of it. Such a Bill must be taken up by the Liberal party if it is to succeed, and at present its chance of being taken up by the Liberal party is exceedingly small. After the Irish Catholics have overthrown a Liberal Ministry, and brought a dissolution perceptibly nearer,

rather than accept a scheme of which the affiliation of a Roman Catholic College was an integral part, they can hardly expect either the Government which they have weakened or the party which they have inconvenienced to go out of the way to satisfy them.

For this, as well as for other reasons, there is little probability that Mr. SMYTH's motion to provide for the establishment, as a College of the University of Dublin, of the institution known as the Catholic University will be taken into serious consideration. In itself the proposal is just and reasonable; but a less appropriate time for making it could hardly have been chosen. In the first place, it is in direct antagonism to the known views of the framers of the measure into which it is to be introduced, and its adoption by the Committee would reduce Mr. FAWCETT to the necessity of voting against the third reading of his own Bill. Its acceptance by the Government would consequently be little short of a direct breach of faith. The agreement with Mr. FAWCETT is that, in consideration of his abandoning the constructive part of his Bill, the part which deals with the abolition of tests shall have the full advantage of Government support. It cannot be maintained that this agreement would be carried out by the addition of a new constructive part to which Mr. FAWCETT is altogether opposed. Nor are the Government under any temptation to be guilty of this sharp practice. It would reflect no credit on them to accept from the hands of a private member a settlement which they had failed to get adopted as an integral part of their own programme; and even if the Irish vote could be counted upon, there would probably be a very large defection of English Liberals from a division in which the Ministerial Whip could play but a subordinate part. There is no reason, however, to suppose that the Irish vote could be counted upon. Mr. SMYTH's motion is as obnoxious to the objections of the Irish bishops as the Government Bill was. It makes no mention of any endowment for the Roman Catholic College; it leaves the teaching of the University in Protestant hands; it does not contain even the guarantee which would have been afforded by the provisional nomination of the University Council by Parliament, that the Catholic element in the University will be fairly dealt with. It is hard to see how the Roman Catholic bishops could show any greater favour to this proposal than to the one which they have so lately rejected, and there has not yet been time for the development of any lay opinion independent of the bishops.

THE EVIDENCE PROVISIONS OF THE JUDICATURE BILL.

WHEN the real matter in dispute between a plaintiff and defendant is ascertained by some such method of pleading as we indicated in a former article, the next step in the cause must be to ascertain the truth as between the conflicting statements of the opposing parties. It is strange that there should have been any divergence of practice in this respect, and still stranger that there should be any substantial difference of opinion. Bring witnesses face to face, cross-examine them when necessary, and then employ the acutest and most practised minds at your disposal to draw a sound conclusion from the testimony given, and you will not often fail in arriving at a satisfactory result. Instead of this, we have two rival methods in use, neither of which satisfies these obvious requirements.

In Chancery, affidavit evidence is used, with liberty to cross-examine under conditions which often render the privilege nugatory. The plaintiff has a choice—and it is hard to say why plaintiffs any more than defendants should have such an option—between two methods of procedure almost equally objectionable. Either he may have the case tried by alternate affidavits, with the right to cross-examine before an official who has nothing to do with the hearing, or else he may insist on cross-examination in Court, subject to the condition, that each side shall adduce his evidence in chief in ignorance of what the other is saying, and without any power of recalling a witness to contradict statements which may be made in cross-examination. These methods do not work at all well, and it is impossible that they should do so; but the most obvious remedy—to require *viva voce* examination in Court—would render it necessary largely to increase the numerical strength of the Equity Bench, and for some reason or other it seems to be a settled political maxim that additional Equity judges shall not be appointed, however much they may be required; and accordingly the Judicature Bill, while recognizing the imperfection of affidavit evidence in really contested cases, proposes to render the resort to *viva voce* evidence more impracticable than ever, by re-

ducing the number of the judges of the Court of Chancery. We do not pretend to understand the motive of this singular course, but we notice it as showing how hopeless it would be, under the provisions of this Bill, to attempt any reform of the Chancery methods of ascertaining facts.

At Common Law the practice diverges, though to a less extent, from what seems to us the only sound ideal. Questions involving mixed considerations of fact and law are constantly submitted to twelve unprofessional men in preference to one or more judges with far more intellect and experience than the whole twelve put together. This seems to us as great an abuse of the jury system as the Chancery procedure is of the methods of investigating facts, and we propose to consider the principles which should determine when a jury ought to be resorted to, and to what extent (if any) the costly but effective process of *vivâ voce* examination may be safely replaced by the more economical procedure on affidavit evidence.

It is impossible to deal with the jury question without paying some deference to existing habits and opinions, and even perhaps to prevailing prejudices. One must go a long way back to find a time when a British subject needed special protection against the subserviency of the Bench to the Crown; but the old notion that in criminal and quasi-criminal proceedings the defendant is entitled to have his case tried by his so-called peers has outlived the reason of it, and ever since the time of the truculent author of the Letters of JUNIUS it has been a popular superstition that trial by jury is the palladium of English liberty. No one, we believe, has suggested that in cases of this description the old and somewhat barbarous contrivance of a jury should be abolished, and we shall not attempt the vain task of ejecting so grand an idea as a palladium from the popular imagination. Keep juries by all means in every case where there is supposed to be a possibility of evidence being strained in favour of the constituted authorities. But Mr. JONES, when he is sued by Mr. SMITH on the common money counts, does not seem to stand in need of any special palladium, and the suitability of this mode of trial must be determined on other grounds. The questions to be considered are not only whether a judge sitting alone is more likely to arrive at a correct conclusion than a jury guided by a judge, but also which method may be expected to foster the greater respect for the decision arrived at, and which is the more consistent with the maintenance of the dignity and high repute of the Bench.

It was once said by a very brilliant judge that there were many cases which could only be decided by tossing up, and that it was more seemly that a jury should toss up than a judge. No one can really, for instance, appraise at its true pecuniary value a broken limb or a damaged reputation, and it seems desirable that all assessments of damages in such cases should be made by juries. Then, again, it has been said that suitors are more satisfied with the unreasoned verdict of a jury than with the reasoned decision of a judge; and if this were true, it would be a ground for extending the employment of juries even to cases not specially unfit for judicial decision. But it is as certain as such a matter can well be that this notion that suitors—or at any rate that honest suitors—like juries is an utter delusion. In the County Courts a jury is seldom asked for, and in the Divorce Court, where the judge has a certain discretion, it is observed that petitioners almost always desire a trial without jury, while respondents for the most part prefer twelve untrained laymen to one acute and experienced judge. Now this occurs in a kind of litigation where the fiercest conflict of evidence may be looked for, where the least scrupulous and most strongly tempted witnesses are put into the box, and where, therefore, the supposed instinct of juries in discriminating truth and falsehood ought to be of inestimable value. The inference is obvious. A petitioner generally believes that he has a good case. A respondent, at least as often as not, knows that he has a bad one. It would seem therefore that, as a rule, suitors who think that they have the truth on their side prefer a judge, while suitors with doubtful or desperate defences are anxious to take the chance of misleading a jury. We conclude, therefore, that there is, to say the least, no respectable prejudice in the minds of ordinary suitors in favour of juries, and that the resort to them may (subject to the exceptions we have noticed) be safely governed by the consideration whether they are likely to promote or obstruct the success of the party who is in the right.

It is quite clear, in the first place, that no mixed question of law and fact should ever be submitted to a jury. The temptation to assume legislative power and override the law under pretence of determining facts is often irresistible. It

is seldom that a Company can get justice from juries, they have shown themselves quite incapable of holding an even hand between parties of different sex, and many other prejudices notoriously affect their decisions. Bearing in mind these and the like consequences of the indiscriminate use of juries, we think that some such rules as the following might well be laid down:—

1. Juries to be employed in the trial of all criminal and quasi-criminal cases, in estimating damages whenever their amount is necessarily of an uncertain character, and in the trial of such other specific questions as the Court may consider unfit for judicial determination.

2. Juries never to be allowed to decide on mixed issues of fact and law; in other words, all verdicts to be special verdicts in answer to distinct questions previously settled by the Court or propounded by the judge at the trial.

3. These rules to be departed from only with the consent of both sides.

With such modifications the jury system would cease to be a reproach to a civilized and rational nation.

Let us now consider in what form evidence ought to be adduced, whether it be taken before one or more judges or before a judge and jury. The advantages of *vivâ voce* evidence are so obvious, and the absurdity of the Chancery system has been so abundantly confirmed by experience, that we shall assume that, in some shape or other, witnesses must as a general rule be produced and examined before the tribunal which is to decide the issues. It still remains, however, to be considered how far it may be practicable, either generally or in exceptional cases, to modify with advantage the ordinary course of a *Nisi Prius* trial. Two objections (and two only, so far as we know) have been urged against this mode of investigation—one that a party with a good case may sometimes be defeated by surprise for which no satisfactory redress can be given, and the other that the process is unreasonably expensive. The danger of surprise would, we believe, be obviated almost entirely if the system of open pleading of actual facts, as distinguished from legal inferences, with sworn answers, were substituted for the vague and often false pleadings by which Common Law procedure is embarrassed. With really effective pleadings both plaintiff and defendant will be tied down to proof of the facts on which the bill and answer are based, and no evidence can well be called which the opposite party ought not to be prepared to meet. The only weighty objection to *vivâ voce* trials is the expense (sometimes enormous) which they involve. Witnesses cannot be kept waiting in attendance on a Court day after day and preserved in a proper frame of mind without very considerable outlay, and no arrangements have yet been devised by which it can be known beforehand precisely, or even approximately, at what hour of what day a cause will be called on. Expense is a grave matter, and may sometimes involve an actual denial of justice to all but wealthy suitors. Still the interests of truth and justice must not be sacrificed altogether to economy, and the inexpensive method of proving facts by affidavit ought not to be admitted, except in cases where it can be ascertained with reasonable confidence that no serious conflict of testimony will occur. To sort causes at an early stage, with the object of applying different modes of procedure to different cases would be somewhat difficult; but with full open pleadings it would not be impracticable; and we think that power should be given to the Court, immediately after the pleadings are complete, to direct whether the mode of trial should be by *vivâ voce* evidence before the Court, with or without jury, or by affidavit. This was the idea on which the Report of the Chancery Commission of 1852 was based; but the recommendation broke down in practice, because, the number of judges being insufficient to do the work, the oral examination was relegated to examiners out of Court, a process almost more futile than the pure affidavit system. Various attempts to patch up the evidence machinery of the Court of Chancery were subsequently made from time to time, but all came to nothing, because the Legislature would not supply a sufficient staff of judges to allow oral examination in Court to be made the rule. We assume that a measure which is meant to be sweeping and comprehensive will not be suffered to fail by a continuance of the parsimony which has already done so much mischief, and that Equity judges as well as Common Law judges will be allowed in future to ascertain facts in the only satisfactory way. The substitution of the cheaper affidavit procedure in appropriate cases, if guarded by very careful restrictions, would, however, be a great boon to suitors. Probably it might be found safe to admit affidavit evidence subject to some such rules as these:—

1. Affidavits to be admissible in all cases where neither side asks for a *vivâ voce* trial.

2. Affidavits to be filed alternately as on motion for decree, and not sprung upon the other side as they are when issue is joined by replication.

3. When affidavits are allowed, each party to be at liberty to cross-examine in Court (on reasonable notice of such intention), with the privilege, where the Court thinks it right, of recalling a witness to meet statements made on cross-examination—a privilege the want of which has often proved fatal on the cross-examination, in Chancery, of stubborn witnesses who know that their assertions cannot be displaced.

4. In all cases where affidavit evidence is not directed, the procedure to be by *vivâ voce* evidence as at Nisi Prius, and, if before a judge and jury, specific issues to be settled by the Court on which the jury are to find their verdict.

A scheme of this character would, we believe, combine in the best possible way the efficiency of *vivâ voce* examination with the economy of affidavit evidence. It would require an addition to the judicial staff, and that (if an objection) is the only objection which, so far as we can see, can possibly be urged against it.

Some such idea as ours seems to have been floating in the mind of the draftsman of the Government Bill, but to have been unfortunately overmastered by his dread of disturbing any jurisdiction or procedure except that of the Court of Chancery. The Schedule does give the Court a discretion to say whether a trial shall take place before a judge with or without assessors, or before a judge and jury, and adds the rather dangerous authority of handing over the judge's work to a referee. It also gives some discretionary power of using affidavit evidence. But the Bill itself provides that, if either party desires a jury, the Court shall have no power to deprive him of it, unless it also deprives him of his judge and sends the whole question to a referee. If the right to a jury (though, as we have seen, not generally prized by *bonâ fide* suitors) is too sacred to be touched without consent when the hearing is to be before a judge, it is difficult to understand why the substitution of a referee should remove the difficulty. This otherwise unintelligible arrangement may possibly have been suggested by the fact that the existing Common Law procedure does recognize trials without juries before arbitrators forced on the parties, though it is not the practice to hold such trials before a judge alone. This consideration, however, loses some of its weight when it is remembered that the Judicature Bill is, or ought to be, something more than a servile reproduction of existing Common Law practice. If our views are right, it would not be difficult to modify the Bill so as to bring it into harmony with the principles which we have dwelt upon, and which the Bill itself is probably not intended to subvert.

SCOTCH AND IRISH PEERS.

AN illustrious Assembly which often complains of want of employment might do worse than in providing a remedy for an undoubted grievance. The House of Lords consists of hereditary members, of members for life, and of elected members who must possess an hereditary qualification. There is for the moment no active agitation either against spiritual peers or in favour of the appointment of temporal peers with a similar tenure of their dignity; but several Irish peers have lately revived the well-known objections to their anomalous position. One of them pathetically complains that he is disfranchised, having neither the seat in the Irish House of Lords which induced, as he says, his ancestor to accept the burden of an earldom, nor the right to apply to the priests for permission to enter the House of Commons as member for an Irish constituency. The Scotch peers, though they have borne their misfortunes in silence, might justly point to their own more pitiable condition. Their Irish brethren often profit by the right of representing English constituencies, but the Scotch peer is absolutely excluded from Parliament, unless he has the fortune to be elected by his equals to sit in the House of Lords. The disability was first created by the Scottish Act of Union. Lord FALKLAND, who, according to Mr. CARLYLE, has acquired immortal fame by being killed in a clean shirt, was a Scotch peer and a member of the English House of Commons; and probably there were other instances in which the same persons held seats in the two neighbouring Parliaments. The restriction imposed in 1707 was probably due to English jealousy, though it might have been supposed that the competition of Scotch peers could, as a general rule, not

have been formidable to English candidates. Irish peers occupied in some respects a different position; for every Scotch peerage is held by a family of Scotch descent, while many Irish peerages were, both before and after the Union, conferred on Englishmen who were supposed not to be sufficiently powerful or sufficiently meritorious to claim a seat in the English House of Lords. GEORGE III., in one of his letters to Lord NORTH, intimates his determination to make no more Irish marquises, because he has too much respect for English earls to squander a title ostensibly higher than their own. There are several Irish peers who have not an acre of land in Ireland, and who have perhaps never even visited the country. The political JOE MILLER records the offer of PITT to give one of his supporters an Irish peerage in preference to granting his request for permission to drive through the Horse Guards. It was often convenient to gratify a faithful follower with a title and at the same time to retain his services in the House of Commons. Other Irish peerages were bestowed on diplomatists who may perhaps have turned their rank to the public advantage in foreign Courts. Two younger sons of a Durham baronet were decorated in this manner, within a few years, as a reward for their diplomatic services. Mr. WILLIAM EDEN, afterwards a peer of the United Kingdom, became Lord AUCKLAND in the Irish peerage, after he had negotiated the French Commercial Treaty, and while he was Ambassador at Madrid. Mr. MORTON EDEN's descendant still sits, under the title of Lord HENLEY, for an English constituency.

Tears of compassion provoked by the pitiful story of Irish peers must be easily elicited. The nobleman who complains that faith was not kept with his ancestor forgets that services to the Irish Government of the day would probably not have been recognized by the gift of an earldom if the title had been as valuable as in England. The disfranchised Irish peer has a vote for twenty-eight representative members of the House of Lords; and, if he is in a minority, he is no worse off than a Conservative commoner who happens to live in Scotland. His chance of being selected by his party to contest an English seat is considerably increased by his possession of a title. Lord PALMERSTON, who was an Irish peer, may be thought to have enjoyed during sixty years a fair share in political life. The late Lord MAYO would not have been Viceroy of India if he had been an English or Irish commoner. An Irish peer and his son at this moment represent two important districts in a midland county. One, if not more, of the leading members of the House of Lords would probably be well content to return to the House of Commons, if accident had reduced them to the unhappy state of Irish peers. The social advantages of the peerage are equally shared by the titled Pariahs from Ireland. Their wives and their children bear titles not less sounding than those of their English equals, and they take precedence according to priority of creation. Scores of peers of the United Kingdom, some of them pure-bred Englishmen, are only known to the world by older or higher Irish titles; and an English marquis thought it worth while a few years ago to accept an Irish dukedom. Even Scotch peers, who are subject to heavier disabilities, would seldom be content to subside, if they had the choice, into the rank of commoners. CHAUCER thought that a woman was quite right in wishing her husband to be made an alderman, because

It is full fair to be y-cleped "Madame,"
And go to church the neighbours all before.

It is still fairer to be called "My Lady," and to take precedence of greater personages than even the wives of aldermen; and a Scotch peerage has, in addition to its other attractions, the advantages of a tontine. By the Scotch Act of Union creations of Scotch peers were prohibited, and consequently the most recent Scotch peerage must be a hundred and seventy years old. By the Irish Act of Union the Crown was restricted to the creation of one peerage for every three peerages which might become extinct, but of late years the prerogative has seldom been exercised, and it is scarcely probable that any further creations will take place. Many Irish peerages have, to the benefit of surviving families, died out since the first year of the present century. Scotch peers are more tenacious of family vitality, because their creation was ordinarily limited to heirs general, and there is a strong probability that some remote ancestor may still be represented through sons or daughters.

Although the grievances of the oppressed peers may not urgently demand a remedy, an inconvenience which affects the country at large rather than the excluded peers or the parts of the kingdom from which they derive their dignities might be advantageously removed. It would have been much better to provide for the election of the repre-

representative peers by drawing lots than to allow the whole number to elect sixteen peers for Scotland and twenty-eight for Ireland. It was easy to foresee that only the majority would be represented, and the actual operation of the arrangement has been flagrantly unjust and absurd. The Duke of WELLINGTON and the late Lord DERBY successively appointed the Irish representative peers as often as occasion occurred; and if the exercise of Parliamentary patronage by a Minister is objectionable, it is still more anomalous that a leader of Opposition should be able to secure through his nominees a permanent majority in the House of Lords. To Lord MILLTOWN's complaint that the Conservative majority now refuses to elect a Liberal representative peer, it is perhaps a sufficient answer that, as a general rule, it is unusual to vote for a political opponent; but there is no electoral system in the kingdom to which the modern device of representation of a minority could be more fairly applied. There is no risk that peers, even of the Liberal party, will choose exponents of revolutionary doctrines; and at the worst a Jacobin peer, of which type there were formerly one or two specimens, would be as innocuous in the House of Lords as a wild elephant lashed on either side to a dozen tame companions. When an innovation in the constitution of the House of Lords of a much more questionable kind was proposed three or four years ago, Mr. BRIGGS, then a Cabinet Minister, remarked with characteristic good taste that there was no use in tinkering an incurable institution. The peers themselves probably hold a different opinion; and if they were to pass a Bill enabling the minorities of Scotch and Irish peers to have a share in the representation, the House of Commons could scarcely refuse to assent to the improvement. The Government cannot be expected to propose a measure which might perhaps not satisfy the Conservative peers; but the more prudent members of the House of Lords would not unwillingly see the diminution of their own numerical preponderance, especially as an invidious scandal would be simultaneously abated. It would often be less disagreeable to be outvoted than to choose between the acceptance and the rejection of an unavoidable and unpalatable measure; and it may even be conjectured that the best means of preserving what remains of the power of the Upper House would be to afford facilities for the introduction and adoption of Ministerial measures. The House of Lords has never sunk into the state of political incapacity which is proverbially expressed by the phrase *non possumus*; but *nolumus*, which is understood, though it may not be uttered, deprives statesmanlike concessions of much of their utility and grace. An amendment of the two Acts of Union would present no serious constitutional difficulty, and the introduction of a truer representation of the Scotch and Irish peerages would be only temporarily necessary. If the House of Lords lasts so long, many of the exceptional peerages would either become extinct or be absorbed in ordinary peerages within fifty years. If Lord PORTARLINGTON's figures are correct, there are now 41 Scotch peers and 107 Irish peers who are not peers of the United Kingdom. Of these, 44 sit in the House of Lords as representatives, leaving 104 to be provided for, or pitied, according to the measure of their sufferings. Only two or three weeks ago Lord NORMANTON was made a peer of the United Kingdom, and both political parties are likely in turn to summon partisans of their own into the higher circle. When only fifty are left outside, it would be at the same time humane and harmless to remove their provincial disqualification; and, with the necessity for electing representatives, the existing abuse and the provisions by which it might be mitigated would equally disappear. A visible hole in a vessel or in an institution is more objectionable than the blemish which may possibly result from the process of tinkering.

WHAT NEXT?

MR. CAWLEY has not succeeded in persuading the House of Commons to pass his little Bill for allowing steam-engines and trains of trucks free course over all the roads and highways of the country; but there is to be a Select Committee on the subject, and the proposal will no doubt be renewed, and there is no saying but what Mr. CAWLEY, if he has only perseverance enough, may have his way in the end. It may occur to some people that England will be rather a lively country when steam-engines are careering wildly in all directions up and down the public roads. Horses still play an important part in English life, but of course if locomotives are coming into general use, horses must be prepared

to retire from the field, and be replaced by steam-machinery. We would merely venture to suggest that it might be as well to make sure of the machinery being available for every purpose before horses are finally dispensed with. At least it is difficult to see how the two will get on together. The only hope for the public would seem to be a free fight between tramways, road-steamers, and the rest of the invaders. They cannot very well all have the roads, and when they have run each other down, the public may have a chance of coming by its own. Perhaps it is only natural that the success of the tramway speculators should have encouraged the road-steamer fanatics. Everybody knows the old story of the ship captain who thought that land was rather useful in its way, as something you could stick an anchor into and get provisions from; and it is almost amusing to observe the calm way in which different sets of people assume that the public highways were constructed simply to serve certain private purposes of their own, and that the public should be thankful if any room is left for it at all. Not long since we found ourselves in one of the chief suburban thoroughfares of London, with the whole of the pavement on one side occupied by droves of sheep and cattle, and the roadway by a quick succession of tramway-cars filling both lines of rails, the pavement on the other side being graciously left for pedestrians, in so far as it was not wanted for perambulators. For vehicles which were not tramway-cars there could hardly be said to be any room at all; they were compelled to dodge about in nooks and angles of the way, making a spurt when the road was clear for a moment, and then taking shelter in a side opening till the rush of cars and cattle had again somewhat subsided. One of the drovers explained that it was impossible for him to turn his animals into the road, as they would there be cut to pieces by the tramway-cars. He took for granted that this circumstance conferred either a statutory or Common Law right on drovers and cattle to take possession of the pavements. If steam-engines are added to the tramways, it will certainly be time to ask the Duke of ARGYLL, who is, we believe, President of the Aeronautic Society, how he and his friends are getting on with flying-machines.

Mr. CAWLEY appears to be of opinion that the time has come when steam-engines should be turned loose upon the world on their own responsibility. Parliament ought to assume that they are quite capable of knowing right from wrong, and behaving properly, and should be content with enforcing penalties for misconduct. His Bill proposed that any locomotive which did not emit smoke, and which when working did not produce any noise by steam, or discharge steam into the air, should have the freedom of all the roads in the kingdom, on paying tolls if it came to a bar. It would of course be at liberty to cut up the highways without incurring even this trifling expense. Locomotives which did not conform to these conditions as to smoke and noise were to be required to obtain a licence from the Board of Trade before setting out on their travels. Of course, if the Bill had passed, locomotives of every kind would have taken to the road indiscriminately, and the responsibility of objecting to them and of proving that they smoked or snorted would have been thrown on public-spirited persons who were willing to spend time and money in a law-suit. Each locomotive would of course be provided with a set of attendants, who might not know very well how to drive it, but who would be warranted to swear against any odds that it never smoked and never snorted. Another provision was that in towns locomotives were not to go faster than five miles an hour, or in the country faster than eight miles; but here, again, there would be an obvious difficulty in determining at what rate an engine was going. Eight miles an hour is a pace which would rather make country people wink, and it would be hard to say whether the engine might not be going at ten or twelve miles an hour. It is a nice question whether an engine that makes a noise or an engine that does not make a noise is more dangerous. In the first case, your horse may be frightened, but at least you have a warning of the approaching monster; in the other case, it is down on you, dashing along at ten miles an hour, before you know where you are. Under the Bill, country districts, including many populous hamlets and villages, with children playing in the road, carts and gigs standing at doors or driving along, would have been provided with a fair share of the perils and excitements of Mugby Junction. One of the supporters of the Bill remarked that locomotive engines ought not to be placed in a worse position than other vehicles of a similar size travelling along the high road; but pace, to say nothing of noise, fire, and smoke, has

surely something to do with the question of public safety. This member was disposed to put horses out of account. They are not represented in Parliament, and besides, as he said, what will not horses shy at? People who ride or drive horses may perhaps, however, be disposed to think that the feelings of horses are entitled to some consideration, if only for the sake of the limbs and lives of those who use them. Mr. CAWLEY said the time had come when those interested in the use of these locomotives ought to know what the law was, but he might have satisfied this modest desire by a reference to the statutes in the library of the House of Commons. We have occasionally met a procession composed of a man carrying a red flag with a road-steamer following slowly, in his wake, and perhaps horses are trying to get accustomed to this apparition. But it may reasonably be doubted whether either men or horses are quite ripe as yet for locomotives, with perhaps a long train of trucks behind them, rushing along at ten or twelve miles an hour, blowing off smoke, snorting, shrieking, and scattering red-hot cinders in all directions, and then perhaps exploding in the middle of the road as a pretty climax. One member who gave his experiences in the course of the debate stated that a road-steamer which visited his neighbourhood first broke up the highway for a mile or so into holes and pits, and then smashed itself in despair. There is no reason to suppose that the drivers of locomotives are likely to be men of a very superior class, and we have some experience in towns of the perils to which the public is exposed from wild waggons and homicidal cabmen. There is certainly something more exciting than pleasant in the idea of having men of this sort turned loose on steam-engines all over the country, whirling through narrow, twisting country lanes, and racing along highways.

It would perhaps have hardly been worth while to notice this happily abortive Bill, if it had not been a measure of a class which seems to be growing more numerous every year, and in regard to which, we are afraid, public opinion is not so resolute as it should be. The old sort of freedom which consisted in the enjoyment of common and equal rights, on the principle of mutual accommodation and give and take, some making way here and others there, so that all might move smoothly along and share alike, would seem to be less appreciated than it used to be. Nowadays each clique and faction has its own pet contrivance, and everything must give way to it. The question is not how all can get along together, but who is to have absolute possession of the public ways to the exclusion of the rest. Mr. CAWLEY'S huge locomotive, snorting, fuming, crashing over the roads, and sweeping everything before it, may almost be regarded as an emblem of the rude intolerance and arrogant pretensions of the modern spirit. Now the tramway, now the locomotive, claims the highway as its own, and all other traffic, horse and foot, carts and carriages, is expected to retire before it. Nobody will deny that in their proper sphere tramways and road-steamers may be exceedingly useful and valuable. We have nothing to say against them except that they do not seem to us to supply all the wants and objects of life, and that it is rather hard that the use of the public highways, which are supposed to be maintained for the benefit of all classes in common, should be handed over for the purposes of a minority, to the serious inconvenience, if not exclusion, of the rest of the community. The only comfort is that, when the public has been beaten off, the tramways and locomotives will begin to prey upon each other, and in this way public rights may in time be restored. From this point of view there might be a good deal to be said in favour of Mr. CAWLEY'S Bill.

SOCIAL BARRIERS.

THE immortal Dr. Johnson once applied what he supposed to be a crucial test to the sincerity of Mrs. Macaulay's republican principles by proposing that she should invite her footman to sit down with them at dinner. If a willingness to meet social inferiors on equal terms be a fair test of republicanism, it must be granted that the number of genuine republicans in the world is singularly small. Indeed, as is often enough remarked, the effect of democratic political institutions is very often to make the social barriers more impassable than ever. The reason is obvious enough. An American gentleman can less afford to put himself into familiar relations with an Irish labourer in New York than an English nobleman to talk easily to a man of the same class at home, because there is a much greater risk that the free and enlightened citizen will take unpleasant liberties. The absence of any recognized difference makes the protection of a certain reserve more necessary. Invisible barriers have to be thrown up to supply the place of the old tangible distinctions. In a first-class railway

carriage in England each passenger knows that his fellow-travellers belong, within certain limits, to the same social stratum with himself, and have therefore a certain common understanding upon various matters. In an American car he can only say that his companions are not niggers; but they may be capable of eating with their knives, of chewing tobacco, and of using language which is not strictly in accordance with conventional usage. You can speak with much more freedom to a fellow-traveller if you have a well-founded confidence that he will not reply by devoting your eyes to eternal perdition. In short, the simple process of shuffling together people who are at the very opposite ends of the scale of civilization does not tend to promote familiarity. Its first effect is to cause the more sensitive units to surround themselves with an imperceptible atmosphere of general repulsion. In the long run possibly the constant intermixture may bring about a closer assimilation; but the immediate consequences—and "immediate" may be interpreted with considerable latitude—are very often the reverse of what they are sometimes hastily assumed to be.

Part of that phenomenon which is generally described as the widening of the gulf between different classes is obviously due to this simple fact. The destruction of a political privilege is tacitly compensated by an increase of social exclusiveness. When we have reached Utopia, the existing awkwardness will be removed. Man will meet man on equal terms; there will be no jealousy on the part of the superior, and no envy from the inferior. Every one will take his place naturally, conscious that it is that for which he is best adapted, and there will be no attempt to create artificial distinctions when those actually existing are felt to repose upon absolute justice. Meanwhile amiable young reformers are apt to attempt to precipitate the process. They fret against the barriers which have sprung up at the very moment of their supposed destruction. They are shocked to discover that their work is only half done, and try to translate the political into social reforms. They give to working-men the right hand of fellowship, sit down to tea with them, and elaborately lay aside the prestige of superior rank and education. They try to talk to their servants as if they were fellow-creatures, and as if the stairs which separate the kitchen from the parlour were not more difficult of ascent—except in a merely physical sense—than the cliffs of the Matterhorn. That such efforts are well meant would be denied by nobody. They are directed against a real evil; for one can hardly consider it as part of the eternal order of things that people whose bodies inhabit the same tenement should be separated from each other in spirit as widely as though they were denizens of different planets. It may even be admitted further that some people have the happy art of really conciliating by condescension; that they can lay aside their robes of state without becoming more imposing in their incognito than in their official costume; and that for them the phrase of putting people at their ease does not really mean producing a general sense of extreme awkwardness, and a forced air of familiarity which is at the very antipodes of the genuine article. A man, however, and even a woman, must be possessed not only of singular benevolence, but of a singularly felicitous manner, if success is to be obtained in such an enterprise. For the great majority, the fetters of custom have penetrated far too deeply into their souls to permit really free action when they voluntarily leave their accustomed sphere. Angels' visits are proverbially rare, and most angels would probably find it hard to lay aside their wings and talk to any mere mortal as to one of themselves. More frequently they come like the "blessed Glendoveer," declaring only too distinctly "Tis mine to speak and yours to hear," and conferences conducted on such terms may be improving, but scarcely diminish the sense of constraint.

Without denying, therefore, the good which may possibly be effected by crossing the gulf when the innovator has the happy disposition necessary to ensure success, it is more expedient for persons of colder temperament to ask what are the real difficulties to be surmounted. When we appreciate the nature of the obstacles which retard the advent of the millennium, we may expect to aid in removing them by judicious effort, though we cannot hope to overleap them at a bound. The obstacle of which we have already spoken is the most palpable, and is the inevitable result of an unsettled state of society. When nobody is quite certain of his position, and everybody is trying to tread on his neighbour's toes, the result must be a widespread feeling of awkwardness. Vulgarity, in the most general sense, is the product of an attempt to assume habits of thought, or dress, or manner, not as the spontaneous expression of our own taste, but as a conscious imitation of other people's taste. When a servant tries to adopt her mistress's fashions, or an upstart tries to ape an old aristocracy, or an Indian wears Manchester prints instead of his native costume, the same sense of incongruity is produced. Perfect manners, it is said, are to be found only in the uncontaminated East, because there everybody has a traditional code of behaviour from which he never thinks of deviating, and which has become a second nature to him; and therefore, as long as an incessant struggle of classes continues, we shall all feel more or less uncomfortable in each other's presence. But, even assuming this difficulty to be removed in a few centuries, another threatens to be more permanent. We cannot look forward to any time at which cultivation will be uniformly diffused. So far as we can see, the differences are likely to grow rather wider than narrower. In spite of all that has been said about the levelling tendencies of democracy, the differences of fortune increase most rapidly in the

most democratic countries. Millionaires on a scale hitherto unprecedented become daily commoner in New York, whilst the workman's wages, if they rise at all, rise only by imperceptible degrees. Intellectual differences seem to follow the same law. The more science extends, for example, the greater are the exertions required to be decently familiar with its results. It takes the study of many years to be an accomplished chemist or mathematician; and therefore it becomes daily more hopeless for the bulk of mankind who have to live by manual labour to acquire any knowledge worth having upon such subjects. The self-taught genius has daily a harder task before him; for the condition of making additions to our knowledge is familiarity with the vast masses of knowledge accumulated by the labours of preceding generations.

There must thus remain a fundamental difference, tending rather to increase than to diminish, between people at opposite ends of the social scale. For really easy intercourse something like a community of interests is requisite. In order to enjoy a man's society, you must be capable at least of sympathizing with his favourite pursuits. If your whole knowledge, for example, of natural history is confined to recognizing an empirical distinction between a horse and a cow, how can you profitably talk upon such subjects to a man whose mind is a walking British Museum? The region in which he habitually dwells is for you closed by doors which it is impossible to pass. This difficulty is of course merely suggested by way of illustration. As a matter of fact, a tolerably intelligent person who has never got beyond the asses' bridge may converse profitably with a person whose mathematical speculations are so profound as to be intelligible to only half a dozen persons in Europe. But that is because mathematics, however deeply immersed a man may be in the study, fills only one division of his intellect. Even the deepest of mathematicians can take a keen interest in the cooking of a mutton chop, to say nothing of such subjects as poetry, or politics, or theology, which may be said to have a universal human interest. Extend, however, the same principle to other departments of intellectual activity. Take a man who is thoroughly conversant with the great currents of European speculation, and place him in contact with an ordinary ploughman, whose whole intellectual apparatus has been provided at a village school. How can they find real pleasure in each other's society? The ploughman can of course traverse only an infinitesimal part of the philosopher's sphere of thought, and the philosopher, however amiable, will in time grow weary of talk about petty parish gossip, or even reflections upon agriculture from a purely bucolic point of view. The answer, indeed, may be easily given. Such a difference need not cause any sense of awkwardness. If the ploughman is intelligent enough to admit the value of a philosophy which he cannot understand, and therefore to pay due respect to philosophers; and if, on the other hand, the philosopher is not too pedantic to take an interest in simple human passions and troubles, they have a common ground upon which each may give and take some useful information. Unluckily it is just on this ground that the discord is likely to be most complete. The ploughman probably takes an interest in the rate of wages, and attributes his bad pay to a certain inherent meanness on the part of the nearest farmer; the philosopher can only reply by statements about the wages-fund and Malthus, which to his interlocutor are as consoling as a text in Hebrew. The ploughman finds consolation in the doctrines of a Methodist preacher; and the philosopher, if he belongs to a certain class of thinkers, is unable even to conceive how anybody should regard a Methodist as anything but a curious survival of archaic forms of belief. It is not merely that one man knows a certain list of facts of which the other has never heard, but that their whole methods of thought are jarring and mutually exclusive. Add to this that the philosopher feels that his prosperity in a democratic state of society depends very much on the ploughman's good will; while the ploughman is much inclined to class the philosopher with the numerous blood-suckers whom he considers to be living on the fruits of his labour, and it is obvious that there are a good many obstacles, even if all political differences were levelled, to a comfortable intercourse between different classes. Our ploughmen and philosophers, however, are merely special instances of a want of harmony which might be illustrated in a thousand different ways. The misfortune is that the old definition of contemporaries has practically ceased to be true. Of people alive at this moment, many are really living in remote periods of the past; others are really living in the nineteenth century; and not a few are aspiring at least to live in the twentieth. When all people who inhabit the same planet at the same time are truly contemporary, the barriers which now divide them may disappear; for, though not at the same level, they may be in the same scale of thinking beings; but the process of effecting the change is likely to be something of the slowest.

CATHEDRAL LEGISLATION.

THE Cathedral legislation of thirty years ago is one of the great blots of the Statute Book, and may well serve as a standing beacon to reformers of all kinds. It is hard to say which were the worst and most discreditable, the abuses or the remedies; and, considering what the abuses were, this is saying a good deal. The men who undertook to purge and reform the cathedrals found a great and historical organization, enormous resources, and vast and pressing popular wants; they found the wants not attended

to nor even recognized, the resources scandalously misappropriated and wasted, the organization—in itself a perfect and admirable machine capable of infinite applications and untold work—at a dead standstill for want of adequate objects, and of zeal and intelligence to find them. These were the abuses, heavy and serious enough. How were they dealt with by the politicians who professed to be filled with righteous indignation at the uselessness of the cathedrals, at their failure to fulfil public duties and to benefit the nation? Not venturing to destroy, they damaged and maimed the machine, so as to make it as useless as possible—quite as useless as it ever had been in its worst days; they alienated, and for a long while frittered away, resources which they did not know how to apply; and as to the popular wants of the country, they had but one idea as to the way in which they were to be met—namely, by multiplying livings with starvation incomes. Filled with the narrowness and conceit of a period singularly shallow in its political doctrines and meagre in its practical measures of policy, they did not choose to take the trouble to master the rationale of the cathedral system. The Chapters certainly did not come before the nation or the Church with clean hands, but they did not want able and learned spokesmen, who, if the reformers had chosen to listen, made it abundantly clear what cathedrals were meant to be, and might still be made. But, for the hasty and priggish legislation of the time, learning was too cumbrous, and real intelligence, with its largeness and its depth, too troublesome. The Cathedral Act of 1840 broke down the cathedral system with axes and hammers. Cathedrals, various in history and in circumstances as they varied in form and size, were all condemned to a pinched and dull uniformity of staff and function. Throughout the Act there is not a trace to be found of any design or even indirect endeavour to stimulate and improve the efficiency of the cathedrals, either as places of solemn popular worship or as centres of ecclesiastical action. The one idea was reduction; reduction stringent and indiscriminate, so as to leave as large a balance as could be gathered from the vast caputal estates for the new fund which was to be administered by the new Commission. The framers of the Act had not the faintest understanding of what a cathedral was intended to be; it never entered their minds that it ever could be made of any use, except to provide places of reward and easy work for exactly the same class of clergymen as those under whom the cathedral system had become a great system of sinecures. That it could be a popular institution, a connecting link between the Church and the masses, a sphere for high enthusiasm and effective work, evidently never crossed the minds of those who drew up the clauses of the Act. That it left deans and canons, with diminished incomes indeed, but also to their old-fashioned poorness of thought as to the duties and services for which they existed, did not trouble the cathedral reformers. They had done enough by cutting down the number of canons to the number of the four seasons; the reform was effected by their being made few, and as to what was to be done by these shrunk-up Chapters, with their magnificent fabrics and their pitiable and unworthy resources for divine worship within them, the Act left that alone. Personally, it was very indulgent to the convenience and the interests of the deans and canons; but in their public capacity it did nothing to remove their difficulties if they should be minded to infuse new vigour into a system hampered and paralysed at every turn with the growth of vested interests, and the claims of chartered and privileged indolence. No important change has perhaps ever been made in England marked by so great ignorance, such vexatious carelessness, and such discreditable want of sympathy with the higher purposes of the institution supposed to be reformed, as the Cathedral Act of 1840. That the cathedrals have survived its mischievous and deadening effects is due to the rise of a spirit in the Church and in the people which the policy of that Act did its best to stifle and defeat by anticipation.

As long as the cathedrals, taking the hint given them by the Act, confined themselves to their old groove and simply went on in the received way, doing very little and venturing on nothing new, the Act appeared merely to be one of rough and hasty spoliation, of which the gains were not very satisfactorily administered. But as soon as the cathedrals began to wake into something like life, and uses were found for them which had not been thought of before, it became clear how recklessly and unskillfully the legislators of 1840 had dealt with the grave interests with which they had meddled. One result soon showed itself. The cathedral reformers had taken care that a Chapter should be reduced to the smallest possible number. Probably assuming that they never could have anything serious to do, the Act had made no provision that they should be efficient. Deans and canons necessarily grow old, and there was nothing to prevent a great and magnificent cathedral, the ornament and central shrine, it might be, of some great city, falling under the management of a body of sick and worn-out old men, past all real work—perhaps past even the outward pretence of it. No margin being allowed, no provision being made for retirement, and human infirmity doing its natural work, it is no wonder that in many instances the slender staff of the cathedrals broke down. In these splendid and costly palaces of religion there were not men to represent it, and cathedral services became a proverb for the meanness and slovenliness of their arrangement. The want of strength, the want of men, the want of relays of workers, have been felt wherever a cathedral has tried to rise to what may be expected from its place and opportunities. It is undermanned for all the various functions which more intelligent thought and greater religious earnestness have found for it; it is undermanned anyhow; but it is further undermanned, because it

is served by men on whose time and work it has not an exclusive, scarcely even a prior, claim; and it is still as much encumbered as ever with exhausted and useless members, for whom no fair mode of retirement was ever thought of till the partial and makeshift Act of two years ago. No cathedral ever begins to stir without feeling itself crippled, without becoming another example of the fatal improvidence which thirty years ago threw away an invaluable inheritance, and upset and deranged and half destroyed a great machinery, instead of patiently and wisely trying to make it fulfil its purpose.

The Act, besides the radical fault of its sweeping and undistinguishing uniformity of cathedral constitution, is full of instances of blundering and short-sighted arrangements, which, in spite of subsequent corrections and amendments, still cause embarrassment to those who have to be guided by it, or to carry it out. But it does in one point profess to look forward, and provide the possibility of mitigating its inconveniences. It actually provides for the possible re-endowment of suspended canonries. There is a kind of grim cynicism about the clause which gives this liberty of re-endowment; for the re-endowment which it mainly contemplates, and which it empowers Chapters to make, is supposed to be out of the "divisible corporate revenues remaining to the said Chapters, after paying to the Ecclesiastical Commissioners the profits from the suspended canonry." The Chapters have leave given to mulct themselves out of their diminished corporate revenues, to fill up the gaps made by the Act, and to restore new canonries in place of others which are "suspended" in the same breath. It is hardly necessary to say that the power has not been put in action, either by the Chapters, or, as the Act also seems, according to the Attorney-General, to permit, by private gifts, although the present Bishop of Lichfield endeavoured to give it vitality. The conditions were not inviting, and the provision has remained a dead letter. But at least it affords a ground for further action. If the Act of 1840, professedly at least, looked not unfavourably on the restoration of places in cathedrals, and on a possible increase of their clergy, it cannot be said, at a time when cathedrals have begun to show something of what they may do for the Church, that it is too late, or too great a departure from the established order of things, to propose practical measures for reinforcing the cathedral body. Mr. Beresford Hope's Bill, which was read a second time on Wednesday, really goes not a step beyond the principle accepted in the Act of 1840; but it regards this principle as one which may seriously be carried into effect, and relieves it of the absurdity thrown round it by the terms and conditions under which the Act of 1840 lets it in. It puts aside the suppositions that it is Chapters who, in the first instance, should re-endow the canonries just taken from them, and that it should be only allowable to revive suspended canonries, but not to create fresh stalls. It simply lays down, broadly and generally, that plans may be laid before the Ecclesiastical Commission by the Chapters, with the sanction of their visitors, for establishing by restoration or creation additional canonries, and accepting endowment for them. It merely enlarges a liberty already given; but it gives it free from the ambiguities, difficulties, and restrictions which have hindered the exercise of this liberty. And when the prospect is considered of the enlarging and unsuspected possibilities of usefulness in the cathedrals, and account is taken of the growing demands of religion, of the increased importance of concentration and joint action, and of the advantage of attaching to places full of every kind of interest, such as the cathedrals, the sympathies of all classes and orders of Church people, the liberty asked for is not too great, and may reasonably be expected to be used with important benefit to the Church.

The Bill rightly leaves as open as possible all the details and conditions of any arrangements that may be made for increasing the staff of the cathedrals. But, in giving facilities for these arrangements, it indicates one special reason why this liberty of establishing new canonries is asked for, and it gives prominence to one very important provision which should accompany them, the pressing need of which is becoming more and more recognized throughout the Church. One chief reason why new canonries are felt to be so desirable is that they would afford the means of connecting with the cathedrals, as diocesan centres, definite offices and functions belonging to the organization of the diocese. Working heads of the Church Societies, inspectors of religious instruction, itinerating preachers, and other clearly defined officers of superintendence, administration, and organized teaching which are likely more and more to grow as the Church extends its work and finds new duties to be done, may with the greatest advantage be joined in membership with the great central church of the diocese. The provision which we refer to is one which speaks of limiting the tenure of the canonry to a term of years, and making this tenure dependent on the performance of the duties assigned to the holder. The embodiment of this idea is a most valuable and original part of the Bill. In truth, the efficiency of the service of the Church, compared with other public services, depends on the degree in which we become familiar with this idea of a man retiring from its responsibilities and duties when he can no longer discharge them. It is obvious that the correlative of such an obligation is a system of pensions in some form or other. It is also obvious that there are great difficulties in the application of this idea, and in the establishment of a pension or retiring fund. There are great departments of Church ministrations and service where it would be vain, and perhaps mischievous, to apply it. But there are others where, with fairness and justice, it might be,

partially at least, brought into play; and cathedral offices, with the calls on them for special aptitudes, and for full vigour and efficiency if the work of the cathedral is to be properly carried on, seem specially fitted to receive the salutary action of a fair retiring system. A man may do priceless service in a parish long after he is too old to do the work which deans and canons, in their special positions, ought to be equal to doing. The more the idea takes hold of the public mind and the public imagination that great Church functions are no more than great military or civil functions freeholds for life, but depend on the necessary qualifications for their discharge, the better for the service of the Church, and the more hopeful for its prospects in the future.

SCHOOLMASTERS ON SPELLING.

THREATENED men are said to live long; we therefore have some hopes of the English tongue. Otherwise we should begin to fear when we see the enemies who are arrayed against it. We cannot say that we ever before heard either of the National Union of Elementary Teachers or of the Educational Institute of Scotland; but we conceive that education, especially in the form of "elementary teaching," includes the art of spelling—that is, the art of using the "elementa" or A B C. When, therefore, Elementary Teachers and Educational Institutes conspire to teach people to spell wrongly, it is something like a betrayal of the citadel by its defenders. What is to be said to people who "desire to secure the maximum of advantage with the minimum of change," and who go and propose to write *sity* for *city*, and at the same time to write *cir*, *cervice*, and *celf* for *sir*, *service*, and *self*? Perhaps, however, it is not to be at the same time, but we are to be sent backwards and forwards and round, round, round. Anyhow, *sir* is to be spelt *cir*—whether all words beginning with *s* are to be so served (*co cerved*?) we are not told. But *city* is to be spelled *sity* only "if the changes are to be carried further," in which case *g* and *c* soft are to be "abolished altogether." This is beyond us; but it would seem as if *c* soft was to be treated like a victim for sacrifice, to be cockered and pampered for a season and then to be abolished altogether. After being allowed for a while to annex *sir* and *service*, it is in the end to be driven out of *city* and *centre*. But we mark that it is only the "perfidium ingenium" of the Educational Institute of Scotland which goes so far as this. The Scotch Committee, "convened" by Mr. J. Macarthur, was appointed "to co-operate with the English Committee in the endeavour to devise some practical scheme of lessening the anomalies of our present orthography"; but the English Committee did not look on these special vagaries of their Scottish yokefellows as being "practical schemes." Both Committees, however, English and Scotch, agree in ruling that the history of the English language is a matter of no importance. We are told in a style so grand as to be almost beyond our understanding—

I. This Committee having considered the etymological objection, is of opinion that any disadvantage in this respect would be more than counterbalanced by the educational advantages to be derived from a simplification of spelling.

Perhaps we are not so fully alive as we ought to be to educational advantages; perhaps our own education may have been neglected in these matters. To us it seems that an anomaly here and there is cheaply purchased, so long as we are able by its means to trace out the history of a word or class of words. Thus for instance in the group of which we spoke in a former article, *candle*, *chandler*, *chandelier*, in their somewhat inconsistent spelling and pronunciation, preserve the history of the several stages of the English language at which they crept into it. Arguments like these however, "the etymological objection," the Committee has considered and cast aside. Perhaps we ought to feel abashed, perhaps we ought to cast aside our old-world difficulties on the spot, when we are told in this lordly fashion that they are nothing worth. But we confess that we should be more inclined to bow down if we had the faintest notion who it is that is ordering us in this fashion to forsake the error of our ways. We have said that our darkness is such that we never before heard either of the English Union or of the Scottish Institute in their corporate character. And we are sorry to say that we are no wiser when we read over the names of their leading members. We do not know what may be the claims of Mr. W. Osborne, the English President, or of Mr. J. Macarthur, the Scottish Convener, to be listened to on such a matter; all we can say is that, of the list of names which follow theirs, there is not one of which we ever before heard, and that we mark that, among those whose names are followed by any letters denoting a degree, that of B.A. seems to be the most usual. It is perhaps our own fault, but, as things stand, to us the grand language of the Resolutions seems perhaps just a trifle too grand for those who put it forth.

The second resolution runs thus:—

II. The Committee having also considered the cases of certain words similar in sound but different in meaning, is of opinion that as there is no difficulty in perceiving the meaning of such words, in the spoken language, there need be no difficulty in the written language.

Here again we are a little puzzled by the lofty style of our instructors, but by looking through the list of words which are to be altered, we think we have got a glimmering of its meaning. *Write* is to be spelt *rite*, while *rite* is still to be spelt *rite*—what is to become of *right* and *wright* we are not told; that is to say, the Elementary Teachers think that people may be left to find out

from the context whether *rile* stands for *scribere* or for *ritus*. Our argument of course is that four wholly distinct words, to which, through mere idleness, we have got to give the same sound, are still distinguished, and the history of each is pointed out, as long as each keeps its distinct and appropriate spelling. But the Committee, who are not troubled at *rile* being used both for *scribere* and for *ritus*, become offended at certain other cases of supposed ambiguity:—

The ambiguity in such sentences as the following would be removed by a change of spelling. "I read a book," may mean, "I am reading," or, "I did read a book." The Present Tense would be "I read," Past Tense "I red."

"The boy made a bow" may mean, "the boy made obeisance," or, "the boy made an instrument for shooting arrows." The latter should be, "The boy made a bo."

The latter of these two cases is a thoroughly good instance of the reckless way in which these innovators set to work. It is plain that they do not see that the two meanings of the word *bow* are really the same. *Bow*, *arcus*, and *bow*, *obeisance* are simply different shades of meaning of the same word. Each means something which is *bowed* (*bigan*, *beigan*). We have known people who made no difference in the pronunciation, and though *bow*=*arcus* is commonly sounded *bo*, yet the *bow* of a ship, which is essentially the same word, is always sounded in the same way as *bow*=*obeisance*. If we made the distinction in spelling which the Elementary Teachers want us to make, we should be making a distinction where there really is none, and we should be wiping out a piece of history by getting rid of the proofs of the original identity of the two words.

When we look through the proposed vocabulary for "optional spelling," it is plain that the whole thing goes on the principle of paying no regard whatever to the history of words, but of ruthlessly wiping out everything which shows from what quarter they have come, and every mark of earlier and fuller pronunciation. We need hardly go much further when *knight* and *night* are both to be written *nite*, when *knee*, *kneel*, and *knot* are cut down to *nee*, *neel*, and *not*, and when *one* is to be written *won*, while *won* seemingly stays as it is. As for the proposed beheading of *knee* and *kneel*, is not Mr. Trollope in some measure the guilty cause? Or was his MS. seized on by some one in the interest of the Elementary Teachers, and was the immortal breeches-maker, whose name in all reason ought to have been *Kneefit*, cut down to *Neefit* according to some phonetic theory? Yet perhaps we ought not to use the word *phonetic*, for our Elementary Teachers, English and Scottish, are at least not *phonetic* in the worst sense. They are satisfied with the Roman alphabet; they ask us to make some very queer spellings out of the letters which we are used to, but they do not ask us to use any new letters, or to stick any of the old ones round about with dots or marks, above, below, or on both sides. And in one point they have lighted, though seemingly quite by chance, upon the right principle for reforming spelling, if spelling is to be reformed at all. They have got hold of the fact, though they do not seem to understand it, that in some of the old editions of the best English writers spellings are to be found which are decidedly to be preferred to those which are now in use. Thus they tell us:—

The following modes of spelling are found in the early editions of Shakespeare, Milton, Spenser, Tyndale, Wicliff, Chaucer, and other old authors:—*tung*—tongue; *foren*—foreign; *plow*—plough; *yung*—young; *frend*—friend; *feld*—field; *crumb*—crum; *delite*—delight; *dore*—door; *flud*—flood.

And again, after giving a list of reprints of several older writers from Chaucer to Milton, they go on to say,

An examination of these reprints will show, that altho there was no fixt standard of spelling at the time, the same word being often spelt in several different ways on the same page, yet that in a very large number of words the most common mode of spelling many words used by the early writers was more simple and more in accordance with the pronunciation than the current spelling.

Thus in the editions referred to, we seldom or never meet with the *b* in *debt*, *doubt*; the *g* in *sovereign*, *foreign*; the *e* in *head*, *heart*; *gh* in *delight*; *e* in *scant*, *scion*; *w* in *whole*; *s* in *isle*, *island*; *b* in *lamb*, *crumb*; the *i* in *believe*, *field*, &c., and so of many other instances.

With regard to other anomalous words, such as *flood*, *blood*, *prove*, *move*, *shoe*, &c., altho the present spelling of these words was common at the time referred to, still the simpler forms of spelling them is often met with as *flud*, *blud*, *proov*, *moov*, *shoo*, &c.

In fact there is scarcely an instance of a difficult or anomalous spelling for which a simpler form may not be found in the editions of the old Authors given above.

All this is perfectly true, and in a great many cases it is much to be regretted that the spelling has been changed, and it would be a great gain if there were any reasonable chance of getting back the older spelling. But why? Not simply because a particular spelling comes nearer to modern pronunciation, but because the older spelling is in most cases—we do not say in all—the most etymologically correct. In many of these words the later spellings wipe out some part of the history of the word or suggest a wrong notion as to its origin. We have already said that, if anybody, English or Scotch, Elementary Teacher or anything else, can persuade the world to write *tung* instead of *tongue*, we shall be ready to rejoice in his triumph, though we are not daring enough to offer to bear the heat of the battle along with him. So it will be well if he can get rid of the *g* in *foreign*, which has crept in where it has no business from some fancied analogy with *reign*, just as printers turn "connexion" into "connection," from some fancied analogy with *affection*. As between *plow* and *plough* we rather prefer the more usual form, as a better memorial of the old

final guttural. The *w* in *whole*, and above all the *s* in *island*, it would be a great gain to get rid of, as they too have crept in through misconceptions of the origin of the words. But we cannot, not even to please Chaucer and Milton themselves, agree to give up the *a* in *head* and the *e* in *heart*, because they are survivals, if nothing more, of *heafod* and *heort*. *Hed* is of course accounted for by such an intermediate form as *heved*, which we find in Sir John Mandeville. Still, however, the *a* came back again, and it is a good thing to have it there. We believe that *crumb* may be harmlessly written *crum*, but to shear the *lamb* of the last letter of his tail, so to speak, would be, not to shear, nor even to flay, but to cut off a limb, or rather a *lim*, as in that word the *b* has no part or lot. But the Elementary Teachers, with charming simplicity, turn these facts to the following purpose. Here is another list:—

C. Modes of Spelling suggested by the analogy of other words of similar formation.

EXAMPLES.

In former times, quite, spite; brisk, risk; told, summer, &c.: were spelt thus—*Quight*, *spight*; *brisque*, *risque*; *tould*, *sonmer*. In the same manner, *bright*, *light*, *opaque*, *shoulder*, *world*, might be changed into *brite*, *lite*, *opake*, *sholder*, *wurld*, with many similar words.

Now the spelling of *quight* was "a mode of spelling (wrongly) suggested by the analogy of other words of (seemingly) similar formation." The *gh* has no business in *quite*, because it is a word of Latin origin, in which the Teutonic guttural never had any place. It was stuck in from a false analogy with *bright*, *might*, &c. So *sprite* used to be written *spight*, and *springily* is still written. But "*delight*" and *spight* are another matter; to change the *c* in "*delectare*" and "*despectus*" into our *gh* is a kind of *ἀντιστοιχία* for such Latin spellings as "*Edilbertus*." But good English *bright* and *light* must stay as they are, if for no other cause, yet for this. Who that believes English history from one end to the other to be all one thing would wish to wipe out the identity of name between the Right Honourable John Bright in the nineteenth century and Beorht Ealdorman in the eighth?

The Elementary Teachers put at the end a collection of extracts headed "Approval of Eminent Persons." But the eminent persons, Mr. Mill, Professor Müller, and others, are so cautious that we think that we have just as much claim to their approval as the Elementary Teachers have. The most cautious of all is Mr. John Morley, who writes thus:—

I think the notion of improving and harmonizing English spelling by recurrence to old forms, wherever they give a spelling more phonetic than that now in use, is excellent, and on this principle within due bounds, much practical service can be done in the way of Spelling Reform. To any Spelling Reform that would re-shape English into arbitrary phonetic forms, I am strongly opposed.

To our mind this is just the right thing. But the Elementary Teachers seem to think it is the right thing too. On the whole we think that reasonable spelling will survive the resolutions of the Elementary Teachers.

INNKEEPERS AND TRAVELLERS.

WE are always supposed to be a great commercial people, and we rather pride ourselves on our practical notions and business-like habits. And, no doubt, in the higher regions of business this self-complacency is sufficiently justified. Nothing can be more thoroughly practical and business-like than the way in which men of business meet each other in strictly commercial affairs. But, on the other hand, how strangely uncommercial we often are in the ordinary, everyday business of life! It would almost seem as if tradesmen when they had to deal, not with each other, but with the general public, threw aside all thought about their customers, and considered themselves entitled to conduct their business in any way that happened to please themselves. Just think, for example, of the retail shopkeepers setting their faces resolutely and ferociously against cash payments, and quarrelling with people who go to them with ready money in their hands rather than break off with the people who seldom, if ever, pay at all. The old-standing grievance about hotels is another illustration of the oddly uncommercial ways of this great commercial community. It might be imagined that it would be the object of hotelkeepers to try to encourage people to come and stay with them, that they would set themselves to consider what their guests would be likely to want, and would do their best to supply those wants, and to make their houses as comfortable and agreeable as possible. If one could banish from the mind all actual experience on the subject, one might even fancy that an innkeeper would be rather pleased than otherwise to see a customer arrive, and would greet him with a propitiatory smile. In real life, of course, we know how little these expectations are realized. Everybody is familiar with the sullen scowl, expressive at its mildest of supercilious indifference, with which the landlord of an inn, on those rare occasions when he condescends to show himself at all, receives his guests, and which is imitated with admirable fidelity by most of his retainers. A nervous visitor can hardly help feeling that he is terribly in the way, that he is putting all these worthy people to a great deal of inconvenience, and that perhaps the best thing he can do will be to apologize for the liberty he has taken and slip away. It is difficult at first sight to see why stopping at an hotel should be an outrage on the host. His open doors appear to invite strangers to enter, and it is on their payments that he depends

for a livelihood. Yet he certainly does his best to convey the impression that he would rather be without them. English hotelkeepers, as a rule, have an air of rather resenting the fate that has put them in this position; and they seem to fancy that their noblest revenge is to let all the world see how very much they are above their work by doing it as badly as possible. In France, in Germany, in Italy, you find landlords and waiters who are still primitive enough to take a pride in their business, and who regard the satisfaction of their customers as the test of success. Compare the sulky, slovenly movements of an ordinary English waiter with the triumphant alacrity of a Frenchman balancing a pile of dishes and covers, and distributing them on every side with the briskness of a conjuror. After all, there is an art in handing plates and pulling corks, and Alphonse looks upon himself as quite an artist in his own way, and his self-esteem would alone compel him to do his best. The old race of English innkeepers and waiters had something of this spirit about them. Many of the innkeepers had risen from being waiters, and the waiters had their chance of some day rising too; but the new system of great hotels has produced a change in this respect. The experience of a waiter is, as a rule, not quite wide enough for the management of one of these vast caravanserais; but the companies can hardly be congratulated on their success in discovering the right sort of people for the work. The choice of gentlemen and ladies of genteel aspirations who have broken down in some other sphere, and who have no practical knowledge of hotel life, does not strike one as particularly promising. The old custom of the landlord bringing in the soup with his own hands survives, we imagine, only in secluded districts; but nobody wants menial attentions of that kind. All that is required is that a landlord should take the trouble to see for himself that things are being managed properly, and should move about among his guests, in order to ascertain their wants and give the necessary orders. As it is, the great man dwells like a star apart, and makes all his arrangements without the slightest regard to the convenience or requirements of visitors. They find a hard and fast system which has been planned from a point of view just the opposite of their own, and to which they have to adapt themselves as best they can.

An American "Victim" wrote to the *Times* the other day, apparently under the impression that there is a general conspiracy on the part of Englishmen to recover the *Alabama* damages by plundering American travellers in detail. If it were only Americans who suffered we might bear it with more equanimity. Unfortunately the idea that an exception is made in favour of natives is a pure delusion. Britons or Americans, natives or aliens, all suffer alike at the hands of the remorseless innkeeper. Of course the "Victim's" letter has provoked replies. We are assured that American hotels are much more extravagant than our own; and the soundness of some of the "Victim's" complaints is sharply challenged. His assertion that English hotels are not only ruinously extravagant, but that in accommodation, food, and service they are miserably deficient, is certainly too sweeping; but if the innkeepers were wise, they would derive much instruction from his letter. If travellers were questioned on their return from a trip, we believe it would usually be found that what exasperated them most was not so much the general charges of the hotels where they had put up, as particular items, often trifling in amount, but outrageously out of proportion to the real cost of the articles supplied. They had asked perhaps for a cup of tea and a biscuit, or a slice of bread and butter, and had been charged as if for a full meal. They had ordered an egg or some other trifle as an addition to the ordinary breakfast, or as a substitute for supper, and found that eggs were reckoned at famine prices. The wine-card is, of course, a continual source of grumbling, for everybody knows something of wine nowadays, both as regards quality and price, and is naturally disgusted to find himself charged twice or thrice as much at an inn as he pays when at home. The American "Victim" resented a demand of 3s. 6d. or 4s. a head for a couple of diminutive soles, a couple of stale eggs, some tea, and bread and butter, as an obvious overcharge; but nothing seems to have really revolted him so much as a charge of 8d. for washing a shirt. We should say that, as a rule, the tariff of most English hotels, as far as lodgings are concerned, is not unreasonable; nor is it out of the way in other respects—always excepting the wine list—for a man with a very good appetite who takes his meals just at those hours which the host chooses to appoint. The fault of the system is that the charges are all framed on an estimate of the wants of a person of this kind, and that they are not adapted to the diversity of individual tastes and requirements. Nothing, for example, can be more exorbitant in its way than a charge of 3s. for a lady's breakfast, considering what a lady usually eats. Lunch is hardly recognized as a meal by itself, and if you happen to go beyond a simple chop or bread and cheese, you are charged as if for an ample dinner. In France you can always get a dish or series of dishes suitable for any kind of appetite, from a mere snack to a substantial meal, and you pay accordingly. But the English bill of fare lacks this elasticity and variety. Two classes of people frequent hotels—people who are travelling on business, and people who are travelling for pleasure—and the engagements of both classes render fixed arrangements as to meals irksome and disagreeable. If you are very hungry and can eat a great deal, and choose to breakfast or dine at the landlord's hour, you may do very well; but once wander from the prescribed arrangements, and attempt to indulge any

little caprice or convenience of your own, and you are sure to find exasperating traces of it in the bill. The only way in which the extremely various wants of travellers can be fairly met is by charging, not for meals as a whole, but for the different articles which a traveller chooses to order according to a fixed tariff. An hotelkeeper who has undertaken to answer the "Victim" declares that fixed tariffs are now common in English hotels; but if they are, they would seem to be chiefly reserved for the host's private use. To be of any service, they should of course be freely exhibited in all parts of the hotel, in the bed-rooms and sitting-rooms as well as in the coffee-room. There can be no doubt that innkeepers commit a great mistake as regards their own interests in not allowing their guests more freedom in the choice of refreshments during the day, and in slipping in exorbitant charges for little things which irritate and rankle far more than the total of the bill.

Political economists assure us that everything is settled by supply and demand. Now there is certainly a demand, and a very strong demand, for comfortable hotels, and there is no artificial monopoly of the trade—for the licensing system hardly operates to that extent, except in isolated cases—yet everywhere we hear the same complaints of the deficiencies of hotel accommodation, and of the excessive charges with which they are associated. Instead of encouraging people to travel, the innkeepers might almost be supposed to have bound themselves in a solemn league and covenant to do all they can to keep people at home. The country is prosperous and flush of money. All classes have been learning to spend freely, to take more recreation, to run about more than they used to do. There is an evident inclination to supplement the regular summer holiday by an occasional little trip of three or four days. Saturday to Monday in the country is becoming almost a domestic institution. But the great drawback to this indulgence is the discomfort and expense of living at hotels. And it may be remarked, as another instance of the extraordinary way in which the business of pleasure is conducted, that the railways on their part certainly do not neglect to do what they can to promote the discouragement of travelling. What can be more wantonly absurd and disgraceful than the ordinary arrangements of the ticket-office? You are kept hanging about in a bare and cheerless hall, with draughts of air in every direction, until it is near the hour at which your train is to start. There is a general rush to the wicket, a struggle past the barrier, and then you are pushed out at the other end by an impatient crowd almost before you have had time to pick up, let alone counting, your change. The rules of most Companies are inexorable on this point. No tickets are to be issued until a quarter of an hour before the train starts. Yet it is difficult to see what harm would happen to the Companies if a traveller could go or send to the station and get his ticket whenever it suited his own convenience. The Scotch Railway Companies are decidedly ahead in this respect. In Edinburgh or Glasgow you can go into a bookseller's or confectioner's shop and purchase a railway ticket, or bundle of railway tickets, which you can use whenever you please. In this way the Companies encourage railway travelling, or at least the sale of railway tickets. Probably the tickets thus bought are not all used, but it is tolerably certain that more tickets are sold than if the purchaser had to make up his mind on each occasion, and to pay separate fares. If the railways were managed on sound commercial principles, they would naturally push the sale of their tickets in every direction, and might even allow a discount on taking a quantity. As for railway refreshment rooms, it is of course impossible to imagine anything more fanatically uncommercial, but the subject is too painful to be dwelt upon.

It is an old story that the English take their pleasure sadly, but if they do so still, it is mainly due to the perversity and stupidity of those who undertake to minister to their pleasure. In almost every direction we find the same eagerness to discourage and repel. The series of miserable experiences involved in going to the play are tolerably familiar—the choice of bad back seats at the box office if you take places beforehand, the good seats being reserved for the sake of the boxkeeper's tips at nights; the fees for the bill, for opening the door, and for attendants here and attendants there; the uncomfortable seats, hard and narrow; the poisonous atmosphere; the exorbitant charges for simple refreshments; the gang of roughs and thieves who are allowed to hang about the entrance under the pretence of calling carriages. It may be imagined that one must be a very passionate playgoer to care to run the gauntlet of these amenities very often in a year. There is nothing perhaps that irritates strangers so much in this country as the incessant demand for fees and tips to which they are subjected on every hand; but natives are probably too much accustomed to it to feel it so keenly. It may be questioned whether the late Mr. Peabody's philanthropy ever took a more practical or useful form than in strenuously resisting all demands of this kind.

Since the siege of Paris, London has been taking up an important position as the resort of foreign travellers, and there can be no doubt that those who have charge of the business of pleasure in its various forms would find it eminently profitable to make the capital more agreeable to strangers. The French just now do not care to go to Germany, and the Germans are not made particularly welcome at Paris. The Americans who pass through London would be glad to spend more time here if an attempt were made to meet their wants. In itself London has now considerable attractions as a pleasure city. In the last few years it has gained in brightness and ar-

chitectural dignity. The Parks have been greatly improved, and the surrounding country within easy reach has always been renowned for its natural beauty. It has probably the best operatic companies in Europe, and its theatres are capable of improvement. The headquarters of business have naturally an attraction for the votaries of pleasure, who often wish to combine both; and all that is wanted to make London the great meeting-place of the world is that those whose duty it is to entertain strangers should, if only for their own sake, endeavour to turn their opportunities to good account by thinking a little less about their own convenience and stereotyped ways, and a little more about what their guests are likely to want.

THE POPE'S ILLNESS.

IT has been almost as difficult during the last fortnight to arrive at any satisfactory conclusion about the real condition of the health of Pius IX. as to decide, amid the mass of conflicting evidence, whether Clement XIV. was or was not poisoned a century ago. So eagerly were the rival journals of Italy and the Vatican engaged in contradicting one another, that one might have imagined it was a point of faith with the Clericals that his present Holiness is immortal, and with the Liberals that his end is come. If the *Fanfulla* asserted that the Pope was confined to his bed and could see nobody, the *Voce della Verità* was sure to reply, with much bubbling indignation at so audacious a falsehood, that he had got up for half an hour and received a deputation with Peter's pence; if the *Osservatore Romano* asserted that he was decidedly better, the *Italia* would rejoin next morning that his physicians considered the disease to be chronic, and that, at his advanced age, it could only have the most serious results. According to one report, His Holiness was forced by his Ultramontane attendants to get up and hear mass on Holy Thursday, against the urgent remonstrances of the doctors and of his most attached personal friends, in order that it might not be supposed he was too ill to do so. On the other hand, it seems to be allowed by the clerical organs that Cardinal Antonelli has written to foreign Governments to express a hope that, in the event of the Pope's death, no difficulty will be made about acknowledging whomsoever the Sacred College may elect as successor. For the present, however, it is pretty generally admitted that all immediate danger is over. But even Popes are mortal, and at the age of eighty-two it is impossible not to remember that Pius IX., though he comes of a very long-lived family, cannot hope to live for ever. We have indeed heard on good authority of a venerable lady who was visited with a severe illness at ninety-two, which, as she remarked in confidence to her more intimate friends, "had always been a critical time of life with her family," but who recovered, and lived to be ninety-nine. If Pius IX. should attain to the same green old age, he will have almost succeeded in doubling "the years of Peter," which no previous Pontiff has presumed to equal; and he is reported the other day to have told an aged French priest, who came to pay his respects at the Vatican and apologized for his deafness on the ground of his old age, that he "was much older himself, and meant to live a good while yet." Perhaps he may; we are far from grudging him his full tale of years. But it is only natural that his recent illness should lead both statesmen and ecclesiastics to speculate on the possible chances of a vacancy of the Holy See, and how it is likely to be filled. Even the easy-going people who are in the habit of putting aside all difficulties with the selfish consolation that the system will last their day, may be excused for feeling some anxiety in the prospect of a change of *personnel* in the claimants of official infallibility. The *status quo* may be expected to continue during the lifetime of Pius IX., but what then?

In the first place, it must be remembered that, if the Papacy is immortal, it cannot be said that the Pope never dies. The proud proclamation, "Le roi est mort, vive le roi!" does not apply here. An interval of some days there must always be, and there has sometimes been an interval of years, between the death of one Pope and the election of another. There was a two years' vacancy, for instance, between the death of Celestine IV. and the election of Innocent IV., and three years intervened between Clement IV. and Gregory X., who succeeded him. In the next century, again, the See was vacant for two years after the death of Clement V., who removed the Papal Court to Avignon. No such interregnum certainly has occurred of late years, or is likely to occur, but some break there necessarily must be, nor can there be any guarantee for the new Pope carrying out the policy of his predecessor. The Prime Minister, as well as all the Monsignori—who are supposed to be the Pope's domestic chamberlains—go out of office as a matter of course on his death, and it is against all received usage for the Prime Minister to be elected Pope, or to resume his former functions. Lambruschini, it is true, devoted all his energies to securing his own election after the death of Gregory XVI., but only with the result of splitting up the Conservative party among the Cardinals, and paving the way for the election, after an unusually brief Conclave, of a Pope credited at the time with Liberal sentiments, though the great majority of his electors were of the opposite school of thought. Not unfrequently indeed there has been a sharp contrast between the line and character of successive Popes. Thus, in the critical sixteenth century, to the polished and sensual unbeliever Leo X. succeeded the strict ascetic Adrian VI., and to him again the easy-going and worldly

Clement VII., who was in turn followed by the stern Paul III., the founder of the Roman Inquisition, and he by Julius III., whose conciliatory policy towards England was summarily reversed by Paul IV. Pius IV. openly complained that his predecessor's uncompromising haughtiness "had lost England to the faith"; while Pius V., whose zeal for "crushing" heretics is commemorated in the collect for his festival, brought matters to a crisis by excommunicating Elizabeth, and publishing the Bull *In Cœna Domini*. This is but an illustration, drawn from the middle of the sixteenth century, of the abrupt contrasts so often presented by successive pontificates. Nor is there any reason for assuming that the successor of Pius IX. will be more like-minded with himself than was the successor of Pius IV.

In saying this we have not the least intention of adding one more to the various conjectures, each as trustworthy, or rather as worthless, as another, which have been hazarded as to the results of the next Papal election. What truth there may be in the current rumour of a Brief having been drawn up by the present Pope, dispensing with the prescribed interval of nine days after his death before summoning the Conclave for the election of a successor, we are unable to say. Nor is it at all clear that such a Brief, if it exists, would be held valid after the death of the Pontiff who sanctioned it. But at all events the process of election, when the Conclave does meet, is so studiously complicated that no previous calculations can be worth the paper they are written on. The overwhelming majority of the present College of Cardinals are the nominees of Pius IX.; but so, too, were the great majority of the Conclave which elected him nominees of Gregory XVI., who was as narrow a Conservative as Mastai Ferretti was then believed to be a pronounced Liberal. And for some reason or other, not easy to an outsider to understand, more than a third of the places in the Sacred College are suffered to remain vacant.

It would no doubt be a matter of considerable interest in itself to speculate on what might be accomplished by a Pope of commanding genius, and fully alive to the exigencies of the Church under the social and religious conditions of the present day. A Pontiff as completely master of the possibilities of the situation in the nineteenth century as was Gregory VII. in the eleventh, might, we do not say achieve as brilliant a triumph as Hildebrand—for the entire relations of secular and ecclesiastical life are changed since then—but might do much, not only to make himself a permanent name in history, but to remould the whole future of Catholicism in its influence on the world. But the practical importance of all such speculations is limited by the fact that there is no commanding genius, and indeed no man of any but the most ordinary capacities and attainments, among the Cardinals, still less among the Italian Cardinals. And although in the time of Gregory VII. the franchise, formerly in the hands of the Roman clergy and people, had just been restricted by a decree of Nicholas II. to the Sacred College, there was no rule or tradition to limit their choice to members of their own body. Hildebrand was simply a deacon, without name or dignity in the Church. But the uninterrupted etiquette of three centuries and a half, stronger for practical purposes than any written law, confines the electors of our own day, not only to Cardinals, but to Italian Cardinals. It must be a very urgent sense of necessity that could induce a close corporation, whose habits and instincts and most cherished beliefs must alike constrain them to look with suspicion on any semblance of novelty, to break through the time-honoured prescription and look beyond the limits of their own charmed circle for the future father of Christendom. Least of all could they be expected to elect one who is not an Italian, when to do so would look like a virtual acquiescence in the loss of the temporal sovereignty. One change of detail must of course be accepted as inevitable; the next Conclave can hardly assemble in the Quirinal. According to the famous prophecy of St. Malachi, the next Pope is to be *Lumen de Cælo*; but it requires a prophetic eye to discern from what quarter of the heavens the promised light is to dawn upon the world.

CRIMINAL CONSPIRACIES.

WE are glad to see that the present state of the law of conspiracy is to be discussed in the House of Commons. Nobody can say that the law as it stands is altogether satisfactory, but there would seem to be a good deal of misapprehension both as to its scope and objects and the principles on which it is based, and it will be as well that people should understand distinctly what the law really amounts to, and what purposes it is intended to serve, before any changes are introduced. It may possibly be found on examination that some of the defects attributed to the law are rather in the nature of merits, while others are only such as belong to almost every branch of jurisprudence. Those who desire to know what the law is, and how it gradually developed into its present shape, cannot do better than refer to a very interesting little work on the subject which has just been published by Mr. R. S. Wright (*The Law of Criminal Conspiracies and Agreements*. Butterworths). The earliest definition of criminal conspiracy—but the crime must of course have been previously recognized—is given in the Ordinance of Conspirators, 33 Edw. I. (1305), in which it is set forth that "conspirators be they that do confeder or bind themselves by oath, covenant, or other alliance, that every of them shall aid and bear the other falsely and maliciously to indite, or cause to indite, or falsely to move or maintain pleas." This Ordinance seems to have been specially

directed against great lords who "retain men in the countries with liveries or fees for to maintain their malicious enterprises." The history of the law of conspiracy from that period down to the present time is a very good illustration of the power of growth in the Common Law, and of the manner in which it adapts itself to the varying circumstances and necessities of each age, as well as of its relations to the Statute law. It will be observed that the law which in our own day has attracted most attention as being directed against dangerous combinations of working-men was originally used as a weapon against confederations of powerful and unscrupulous nobles. The law of conspiracy has at different times been narrowed and expanded by legislation, but it would appear to have derived much of its force from the discretionary authority of the Common Law Courts to prohibit and punish whatever is *contra bonos mores et decorum*. In 1616 the Court of Queen's Bench, asserting itself as the rival of the Star Chamber, declared that it had power "not only to correct errors in judicial proceedings, but other errors and misdemeanours extra-judicial . . . so that no wrong or injury, either public or private, can be done but that it shall be repaired or punished in due course of law." And after the Star Chamber was abolished, Sir C. Sedley, who was charged with acts of gross indecency and profanity, was informed that, "although there was not now a Star Chamber, still they would have him know that this Court is *custos morum* of all subjects of the King." Lord Mansfield also upheld the right of the Court to act as "the general censor and guardian of the public manners." On various points there may be some doubt as to the precise effect of decisions of the courts in regard to criminal conspiracies, but there can at least be no question as to the authority which they have uniformly claimed to determine, with reference to the general interests of society, what practices shall be deemed criminal when a number of men combine and agree to execute them. Criminal conspiracies may be divided into eight categories:—(1) Combinations to commit crimes; (2) combinations against the Government; (3) to pervert or defeat justice; (4) to do anything against public morals or decency; (5) to defraud; (6) to injure individuals otherwise than by fraud; (7) in restraint of trade; (8) to coerce individuals. At an early date we find two principles clearly and firmly developed—first, that a combination to commit a crime is a crime; and, secondly, that the essence of the crime of conspiracy lies in the agreement, and is independent of the execution of the conspirators' design. So far, as Mr. Wright points out, the law of conspiracy may be regarded as practically an extension of the law of attempts to commit crimes. But, beyond this, there are cases which tend to establish the principle that it may be criminal to combine to do an act which in itself would not be regarded as criminal apart from the conspiracy. Before going into this question, however, it may be worth while to glance at one or two of the leading cases on the general law of conspiracy.

In 1611 the Poulterers' case settled the question of the essence of a criminal conspiracy. A number of poulterers in London, who had a spite against a man who had married the widow of a poulterer, combined in order to bring a false charge of robbery against him, and to procure him to be arraigned, indicted, adjudged, and hanged. Happily the poor fellow was able to prove that on the day on which the robbery was alleged to have been committed in Essex he was in London, and the Grand Jury threw out the Bill against him. Upon this the poulterers pleaded that, even if they had combined against the man, yet the matter had not gone far enough to render them liable to punishment for conspiracy. But the court held that "a false conspiracy between divers persons shall be punished, although nothing be put in execution." In 1663 (Timberley) it was laid down that a combination to charge a man with heresy with intent to extort money from him, or to defame or disgrace him, was indictable; and Lord Mansfield (1762) held it sufficient that there should be a combination to obtain money from a man by charging him with "a false fact," "whether it be criminal acts, or such only as may affect his reputation." In 1825 the King's Bench decided that, if the purpose was to extort money by indictment, it was immaterial whether the charge was true or false; but in a subsequent case the Recorder of London (1845) permitted inquiry as to the truth or falsity of charges as material in determining the question of intent. In regard to combinations to defraud, it has been held in Warburton's case (1870) that a merely equitable wrong will suffice. "It is not necessary," said Cockburn, C.J., "in order to constitute a conspiracy that the acts agreed to be done should be acts which, if done, would be criminal. It is enough if the acts agreed to be done, although not criminal, are wrongful—i.e. amount to a civil wrong." In this case Warburton was partner with L., and conspired with P. by means of false accounts to pretend that the firm owed money to P., with intent that such money when paid to P. should be divided between P. and Warburton, and that L. should so be defrauded; and it was held that this was a conspiracy, as it was a combination to commit a civil wrong. In 1833 (Levi) a "Knock-out" at an auction—that is, a combination of men to bid against other people, in order to drive them away—was held to be indictable, and Mr. Wright suggests that this decision may be explained on the ground that, if the auctioneer had known of the combination, he would not have knocked down the goods to any of the persons concerned in it, and thus his consent to the transfer of the property was obtained by a false appearance of competition. With few exceptions, the cases of combinations by workmen to regulate the

conditions of their labour have been combinations expressly prohibited by statutes (now repealed), or combinations to do what it would have been punishable for one man to do without combination. The exceptions will be considered hereafter.

O'Connell's case may be taken as the modern leading case on seditious conspiracy. In that case Chief Justice Tindal, in delivering the opinion of the Judges upon writ of error in the House of Lords, ruled that "the agreement of divers persons together to raise discontent and disaffection amongst the liege subjects of the Queen, to stir up jealousies, hatred, and ill-will between different classes of Her Majesty's subjects, and especially to promote amongst Her Majesty's subjects in Ireland feelings of ill-will and hostility towards Her Majesty's subjects in other parts of the United Kingdom, and especially in England," is an illegal act. He added that the judges thought it unnecessary to state reasons in support of the opinion "that an agreement between the defendants to diminish the confidence of Her Majesty's subjects in Ireland in the general administration of the law therein, or an agreement to bring into hatred and disrepute the tribunals by law established in Ireland for the administration of justice, are each and every of them agreements to effect purposes in manifest violation of the law." Lord Denman suggested a doubt as to "whether there was anything illegal in exciting disapprobation of the courts of law for the purpose of having other courts substituted more cheap, efficient, and satisfactory." Lord Campbell held that "any person who deliberately attempts to promote feelings of ill-will and hostility between different classes of Her Majesty's subjects—to make the English be hated by the Irish, and the Irish hated by the English—is guilty of a most culpable proceeding; and that, if several combine to do so, they commit a misdemeanour." He shared Mr. Justice Denman's doubt as to the attacks on the courts of law, but said that "a conspiracy generally to bring into discredit the administration of justice in the country, with a view to alienate the people from the Government, would certainly be a misdemeanour." The judges were of course agreed that the crime of conspiracy was complete even though the conspirators had done nothing to carry their plot into execution.

These cases illustrate clearly enough the general operation of the law of conspiracy. It will be found on examination that in the great majority of reported cases the conspiracy has consisted in an agreement to do something which at the time was, apart from combination in itself, a crime, either by statute or Common Law. In other words, the act in question was a crime, whether committed by one or by a number of persons. The effect of applying the law of conspiracy in such a case is that, where there are a number of persons concerned, the law can lay hold of them at an earlier stage of the affair, and even, as it were, nip the intended crime in the bud, without allowing the conspirators to evade punishment. As Mr. Wright observes, the modern law of conspiracy has grown out of the application to cases of conspiracy of the doctrine that, since the gist of a crime is in the intent, a criminal intent manifested by any act done in furtherance of it ought to be punishable, although the act did not amount in law to an actual attempt. It is necessarily difficult, if not impossible, to prove a man's agreement with himself to commit a crime; but when several persons are concerned, the communications which take place between them in regard to the contemplated act are sufficient to bring it home to them. It has been said that, if the law of conspiracy is to be confined to combinations with a view to commit what if done by one man would be a crime, it might as well be abolished, since the offenders could be got at by an indictment for the crime itself. The value of the law of conspiracy, however, as affording an earlier opportunity of coming down on the intending criminals, and also greater facilities for proving the charge against them, ought not to be overlooked.

So far the law is clear and simple enough. A combination to commit a crime is in itself a substantive and distinct crime, and the essence of this crime lies in the agreement, and does not require any step to be actually taken, beyond agreement, towards the commission of the contemplated crime. The doubtful part of the law relates to the question whether a combination will change the complexion of an act, so as to make that criminal when performed by a number of persons which would not be deemed criminal if performed by only one person. The first suggestion that a combination might be criminal, although that which it proposed to accomplish was not in itself criminal, would seem to have sprung from a misapprehension of the case of the Brewers (Starling) in 1665. This was an information against the brewers of London for conspiring "to put down the gallon trade by which the poor are supplied, and to cause the poor to mutiny against the farmers of the Excise," and thus to "depauperate" the latter. The King's Bench gave judgment against the brewers, but on the ground that "the Excise was parcel of the King's revenue, and to impoverish the farmers would be to make them incapable of rendering the King his revenue"—in other words, that the combination was levelled at the Government. Other decisions following in the same line were open to a similar remark. In the Cardmakers' case (Cope, 1719), where the defendants had bribed a cardmaker's apprentice to spoil his master's cards by putting grease into them, an act of this kind was then criminal, apart from conspiracy. In the well-known case of Leigh (1775), for hissing Macklin the actor, conspiracy is charged only in the first count, and there only in the inducements, and the substance of the indictment would seem to be, not con-

spiry, but riot and obstruction of the play. The defendants were convicted, but no judgment was passed, the matter having been privately settled. In 1809, however, Sir J. Mansfield is reported to have said, that if any body of men were to go to a theatre with the settled intention of hissing an actor, or of damning a piece, such a deliberate and preconcerted scheme would amount to a conspiracy. And in 1853 Mr. Justice Crompton observed, in an action for maliciously inducing a singer to break her contract, that if two or more persons, with a mischievous intent to ruin a rival trader, went to a banker, or any one who owed money to the rival, and begged him not to pay the money, and by that means ruined or greatly prejudiced the man, an indictment for conspiracy might perhaps be maintained against them. In two important Trade-Union cases (Druitt and Brown), expressions were used by the judges which would certainly seem to point to the view that, in regard to coercion, a combination will invest with criminality an act which, without combination, would not have that character. In the former case, which related to picketing in the tailors' strike, Baron Bramwell ruled that, "if any set of men agreed among themselves to coerce a man's liberty of mind and will to say how he should bestow himself and his means, his talents and his industry, they would be guilty of a criminal offence"; and he explained coercion to mean "something that was unpleasant and annoying to the mind operated upon." And in the recent gas-makers' case, Mr. Justice Brett said that there would be "improper molestation"—amounting to a criminal offence—"if anything were done to cause annoyance in the way of unjustifiable interference which, in the judgment of the jury, would have the effect of annoying or interfering with the minds of ordinary persons carrying on such a business as that of a gas company." It should be observed that the jury acquitted the gas-stokers on this charge, and convicted them on the count for a combination to prevent the Company, by a simultaneous breach of contract, from carrying on their business. The explanation of Baron Bramwell's observation is probably that he had then specially in his mind some such form of violence as picketing—the offence charged against the tailors. Mr. Justice Brett's language obviously requires definition. To tell a jury that improper molestation consists in unjustifiable interference is simply to leave them to settle the law of conspiracy for themselves. To some extent a similar objection might be made to the definitions of seditious conspiracy in O'Connell's case. But it is obvious that offences such as sedition and improper coercion must always turn very much on question of circumstance and degree, and that it is neither possible nor perhaps desirable to define them with great precision.

A review of the cases brought together by Mr. Wright would seem to show that the law of conspiracy is mainly an extension of the law of attempts, but that, in the case of agreements of a public nature and levelled at the Government, and perhaps in the case of agreements to pervert or defeat justice, or to injure private persons, combinations to do something which if done by an individual would not be criminal may be brought within the category of criminal conspiracies. That the law of conspiracy has its uses cannot be denied. Mr. Wright enumerates several advantages derived from it in dealing with combinations to commit crimes; it enables the conspirators to be punished for agreement without any other overt act, and it is useful in founding jurisdiction, and as a ground for the admission of evidence which might not be relevant to a charge of actual attempt or commission. It is clear that a combination to execute a criminal design is in every way a much more serious affair than a similar enterprise on the part of an individual. It implies deliberation, careful preparation, a settled purpose; the evil effects of the act are naturally increased by the scale upon which it is to be executed; and in proportion to its force and efficiency is the temptation to commit it. It ought, therefore, to be punished with the utmost severity. As to the question whether acts which would not be criminal if performed by an individual should be converted into crimes when taken in hand by several persons acting together, we are disposed to think that the principle is sound in itself, but of course great caution and discretion are necessarily required in applying it. It is easy to conceive acts which are inoffensive or trifling when performed by an individual, but which would become very serious if performed by a body of people simultaneously and in concert. It would certainly seem to be desirable that the courts should retain the power of dealing with such cases on their merits, but of course it would be well that the limits of discretion should be clearly defined. This would no doubt be done by the courts if cases raising the points at issue happened to come before them, but this is a mere matter of accident, and it would therefore seem to be the duty of Parliament to take up the question. A Committee of the House of Lords could hardly be more usefully engaged than in endeavouring to supply the necessary definitions. The political atmosphere of the House of Commons on the eve of a general election is perhaps hardly favourable to calmness and impartiality in dealing with such a matter, even if that body cared to commit itself to legislation at such a moment.

THE ALLIANCE AT EXETER HALL.

THE leaders of the Alliance are always hopeful. They have persuaded themselves, and are endeavouring to persuade others, that their prospect is improving. They admit that during

last year there was a large increase in the consumption of beer and spirits; and they even argue that, if restrictions had not been imposed upon the sale of liquors, the consumption would have been larger still, and yet they expect to impose a measure of prohibition. They have held a meeting at Exeter Hall, which they will doubtless declare to have been a great success, and whatever be the exact result of the next debate on the Permissive Bill, they are prepared to prove that that result is a triumph to their cause. The speeches at their meetings are usually very dreary reading, but it is interesting to know that even the Alliance feels the need of a comic performer. There is one of their speakers, evidently a great favourite, who, having to speak of pauperism, doubled himself up and hobbled to and fro on the platform as if to imitate the movements of a crippled and infirm pauper. One feels considerable relief at having thus got to the comic side of the Alliance. Its supporters are, after all, human creatures like ourselves. They are not so devoted to great principles and a lofty mission but that they like to hear their leaders poking a little mild fun at the brewers. Those leaders for the most part are respectable dull men, whose most valuable quality is perseverance, and who are better at action than at speech. It would be invidious to mention names, but we may say that if all the oratory at Exeter Hall had been as bad as some of it, the meeting could hardly have lasted the appointed time. But the managers discreetly kept their funny man to the end, and the bulk of the audience remained to hear an established favourite, although they scarcely concealed their impatience of an earlier speaker whom we will venture to describe as an unmitigated bore. One of the longest-winded of the leaders of the Alliance claimed indulgence for loss of voice, upon which it was obvious to remark that a beneficent design of nature appears even in the prevalent east wind. Lest, however, an enemy should connect hoarseness with teetotalism, it was mentioned, and doubtless with truth, that colds are by no means confined to water-drinkers.

The great gun of the evening appeared to be Mr. Neal Dow, who once more repeated his account of the effects of prohibition in his native State of Maine. He says that there is less drunkenness in that State now than when he was young, and he ascribes the increase of sobriety to prohibition. But it would be quite as reasonable to ascribe prohibition to the increase of sobriety. He of course denies that the Maine Liquor Law is evaded to the extent that has been alleged; but we can hardly accept statements of manifest partisans on either side. A pint of whisky bought in Portland was produced in the House of Commons by a member. Mr. Dow answers this imputation by saying that the whisky must have been sold as medicine, which is possible. In this country, if the public-houses were closed, the druggists would certainly do an increased business, particularly during an east wind, and therefore we prefer to keep the public-houses open. The want of stimulants in an inclement spring is like the demand for jokes at a meeting of the Alliance; it is a confession of the ordinary weakness of human nature. We are able, by way of comment on Mr. Dow's speech, to refer to the last number of the *Alliance News*, which reports a debate in the Canadian Senate on a Prohibitory Bill. The chief supporter of the Bill stated that he had travelled lately in Michigan, "where liquor was not seen, unless asked for." He believed this to be the case in other places where the law was in force; and even if nothing more than this were effected, he considered that a great work would be accomplished. We are happy to remember that our own law and practice are already, to a great extent, in harmony with this speaker's desire. The legal designation of a large class of drink-sellers in England is licensed victuallers, and it is the custom of this class in London to exhibit upon their counters biscuits and pork-pies, which, however, appear to be adapted rather for keeping than for eating. The publicans would probably be willing to compromise with the Alliance upon the terms that liquor should not be seen unless asked for. Messrs. Spiers and Pond would be obliged in that case to remove the decanters of liquor from their refreshment counters at railway stations, but they might continue to derive whatever advantage is now obtained from the adornment of those counters with coloured glass. Mr. Dow says that visitors to a new country are apt to generalize too hastily. He has heard lately of an incident which, in ignorance of the exact fact, and in disregard of the feelings of Nonconformist members of the Alliance, he described as a prizefight in a Baptist chapel. The occurrence to which he referred took place in a building which had formerly been a chapel. Even if the information on which he spoke had been correct, it might have occurred to him that truth is sometimes inconvenient. This, however, is by the way. Our immediate concern is with the comment which he made upon the supposed fact which he had stated. If, he said, he were to go home and report that the English were a nation of prizefighters, that would be an example of hasty generalization. But we should answer that, if he were to go home and say that the lower order of Englishmen are much addicted to fisticuffs, he would be near the truth. And if an Englishman were to return from America and report that in States where a prohibitory law exists large numbers of persons manage to get supplied with spirits, he would not probably be very far wrong. Mr. Dow glorifies himself and his friends on the persistence which compelled one of the great political parties in the State of Maine to adopt the prohibitory law into its "platform." But even this story is capable of being told two ways. We have heard that ingenious politicians have contrived to conciliate fanatical support without producing popular discontent. In other words, they have arranged that the law should say

what it pleases, and the people should do what they please. Principle is asserted, and practice remains undisturbed; or, as the Canadian Senator puts it, liquor is not seen till asked for.

The elasticity of spirit of the leaders of the Alliance is indeed admirable. Their organ quotes from the charge of the Chairman of the Quarter Sessions of the North Riding of York to the Grand Jury. He says that in the corresponding quarter of last year the number of cases of assault arising from drunkenness was forty-one, but in this year there were seventy-six. "The increase of drunkenness was to be attributed to the great rise in the wages paid for labour throughout the country, especially in mining operations, and also those relating to the manufacture of iron." It is difficult to understand how this undeniably true statement helps the cause of the Alliance. They assume, for rhetorical purposes, that the Permissive Bill will pass this year. Let us assume, for the purpose of argument, that it had passed last year, and that an attempt had been made to enforce it in a mining or iron-working district of Yorkshire. Is it necessary to ask a Chairman of Quarter Sessions or a Chief Constable of the County what the consequence would have been? Surely we can imagine it for ourselves. But why agitate for a measure which is manifestly incapable of practical application? The Alliance might seriously apply to the Permissive Bill what Dogberry blunderingly says of writing and reading—"Let that appear when there is no need of such vanity." If all the persons present at Exeter Hall lived in a district by themselves, they might adopt and enforce a prohibitory ordinance to their own entire satisfaction, and amid the plaudits of an admiring universe. But if these respectable and rather feeble people were only a majority, and there were a minority of colliers and miners, an attempt at prohibition would produce an awful riot which police, or perhaps soldiers, must be employed to quell. We should not complain much of the Alliance if it were simply useless, but its pretence of work may prevent real work being done. It is lamentable to find that the earners of increased wages can make no better use of their prosperity than to eat and drink more plentifully. It is still more lamentable that Parliament, in presence of a grave evil, should be bewildered with impracticable suggestions, and denounced if it declines to listen to them. Almost the only words of sense that were uttered at Exeter Hall came from the Liberal candidate at the late Liverpool election. If he was selected because he supports the Permissive Bill, the result of the experiment can hardly, we think, be encouraging even to the irrepressibly sanguine leaders of the Alliance. He told the meeting that he was Chairman of a Company established for supplying Liverpool with public-houses without intoxicating drink. The Company owns eight such houses, and it pays dividends of forty per cent. Here is an example worth imitating. You cannot do away with the ordinary public-house unless you offer something in its place. The *Alliance News* is very severe upon the Railway Companies for allowing spirits to be sold to their own servants on their own premises. The Railway Companies generally arrange that tea and coffee, as well as gin and brandy, shall be supplied at their principal stations; but we believe that an engine-driver, if he takes coffee, usually likes a little brandy in it. That which has been done at Liverpool might be done with advantage to the community, and perhaps with profit to the undertakers, at other places. Such an experiment appears hopeful where the programme of the Alliance is simply hopeless. Its leaders demand, for the present, merely the Permissive Bill; but they announce their intention to proceed, when they have got that, to total prohibition. The years in which they will labour to this end will probably be like that which has just elapsed. There may be fluctuations of prosperity; but, on the whole, the wages of labour are likely rather to increase than to diminish. It is difficult, under such circumstances, to understand how any rational man can put himself forward as a leader of the Alliance. No doubt a meeting at Exeter Hall is pleasant to those concerned, and does little harm to anybody else. It is tolerably well seen now that the publicans can take care of themselves. The speakers at Exeter Hall gain a useful notoriety, and the listeners probably persuade themselves that they are enjoying a moral and intellectual benefit. If the Dean of Canterbury, who presided, was able to persuade himself that he was usefully engaged, so much the better. We observe that the *Alliance News* remarks that the season for indoor meetings is nearly over—a remark which requires qualification with reference to the east wind. But as summer evenings are likely to arrive ultimately, it may be useful to consider what is to be done with them. Supporters of the Alliance are recommended to "mission" their neighbourhoods on its behalf. The verb "to mission" comes for the first time under our notice, and we cannot help thinking that the Alliance has enough to do in the department of morals, and would do well to abstain, at least for the present, from attempts to improve the English language. We will venture, however, to say that we think missioning in summer must be thirsty work.

SKETCHES OF CENTRAL ASIA.

THE Crystal Palace has on loan a collection of pictures and sketches which claim special attention at the present moment when Khiva and Central Asia generally are assuming a

new political importance. These remarkable works, which reveal the character of the country as well as of its inhabitants, come before us as the vivid and veracious testimony of an eyewitness. The painter, M. Basil Wereschagin, a Russian by birth, seems to combine in his own person the enterprise of a pioneer, the valour of a soldier, and the skill of an artist. During the years 1868, 1869, and 1870 he traversed, pencil and sword in hand, the wild districts which range east of the Ural and stretch onward between Siberia, India, and China. Having been first educated in the Naval School of St. Petersburg, the adventurous painter was qualified to join the Russian military detachment, the exploits of which he witnessed and portrayed. "The Unexpected Attack," "Surrounded and Pursued," and "The Presentation," as trophies, of human heads cut off from the vanquished, are terrific scenes of hot slaughter and of cold-blooded brutality. This guerilla warfare, whether conducted by the French in Algeria or by the Russians in Central Asia, and whether chronicled by Horace Vernet or by M. Wereschagin, can scarcely fail to be eminently picturesque. Across a wide plain without boundary, save a circuit of wild hills, a savage horde of "barbarians" rushes onward as a fierce wind bearing a storm cloud. Attia, "the Curse of God," led such fiends to plunder and to slaughter. In vain a firm front is made and a compact square formed; the men fall thickly and heavily; the foreground of the picture is strewn with the dead weltering in blood. The skill which the artist has at command is not out of keeping with these thrilling incidents; the style is vivid and realistic, and a certain savagery, or "devil," brings the painter and his subjects into close accord.

M. Basil Wereschagin, before he entered seriously on art as a profession, had studied, as we have seen, the tactics of war. In Russia military men have shown an exceptional aptitude and affection for the arts. A Russian officer who lost his right arm at Leipzig forthwith took up a brush with his remaining hand. The battle painter, M. Kotzebue, was dabbling in paint while he studied the arts of war. Also the famous Russian marine artist, M. Bogoluboff, served on board ship before he proved his talent in depicting a naval engagement. In Russia the practice of art has crept into the highest classes; even statesmen are known to have gained almost professional proficiency. Intolerable tedium is supposed to drive Russians to painting or to drink. But M. Wereschagin at any rate has long since passed from the ranks of the dilettanti. Before he entered on his art campaign in Central Asia he had studied for five years in the Imperial Academy of St. Petersburg. He has also had the advantage of three years' residence in Paris, where the studio of M. Gérôme was open to him. Indeed the style of the illustrious Frenchman and the manner of this Russian, who, if we mistake not, will make for himself a name in Europe, have much in common. M. Wereschagin seems to have travelled thousands of miles as if for the express purpose of opening here in the Crystal Palace a chamber of horrors; hundreds of dry blanched skulls and of gory grinning heads, fresh severed from the trunks, are heaped life-size upon canvas. Russians are known for an enterprise which carries them far and wide over the surface of the earth in search of knowledge. Russian painters are pensioned as pioneers to penetrate remote regions, in order to bring back whatever may be most new and strange in nature and in art; and certainly in the present instance the pictorial products can scarcely disappoint, either for sensational intensity or trenchant truth. M. Wereschagin claims to be a pupil of M. Gérôme, and yet he does not admit himself to be under any obligation to his master, as most people might suppose, for the callous cynicism, the cool-blooded cruelty, which in these works appal the spectator. The confession which the painter himself makes is that he was compelled to paint the horrors he saw, that he could not shrink from his duty as a faithful chronicler. M. Gérôme, it is said, in pursuit of art goes out of his way to seek sensations; while the more innocent-minded Russian, we are left to infer, would willingly escape from a painful duty if he could. We confess, however, that we do not see in the present instance any ground for exception to the all but universal rule that a painter chooses his subjects according to his tastes.

The large oil pictures are scarcely so trustworthy as the smaller studies. They do not pretend to have been painted on the spot; in fact they come from Munich, where a spacious studio was specially arranged so as to favour the artist's endeavour to gain the effect of outdoor daylight and sunshine. Accordingly the manipulation, the heavy impasto of pigments, and especially the dramatic method of composition, with scenic contrast of light, shade, and colour, pertain to the Munich school. And yet neither Director Kaulbach nor Professor Piloty would care to be held responsible for a certain rude vigour which is not Bavarian, but semi-barbaric and Russian. It will thus be readily understood that these startling revelations from the far East will be regarded with amazement as unaccustomed phenomena, rather than as works of art, subtle, refined, or complete. Perhaps the painter's strongest point is the power with which he seizes on action and situation; the actual scenes live before the eye, the country is made familiar, its inhabitants we are ready to greet as personal acquaintances. And yet we would feign hope that some of these tableaux are too highly coloured. "Within" is on the confines of a walled town. The turbaned soldiers, dressed, as in mockery, in gay costumes of green, red, and blue, lie scattered on the ground in the agony of death; the living carry away the dead on stretchers, and range them with military precision in one long row beneath the wall of the lofty fort. Now are we to believe that the composition thus deliberately arranged with an eye to effect

was one of "the numerous actions and other events" at which "M. Wereschagin was present"? Again, "Forgotten on the Field" is almost too striking as a picture to be literally true; a corpse is cast prostrate on the ground, a gun and a bayonet by the side, and the painter throws in as many birds as may suit his purpose; no less than sixty are here brought together to devour one man. And, in like manner, almost too good to be true is "The Apotheosis of War," dedicated, we are told, "to all great conquerors—past, present, and future." The picture is a pyramid, in which 8,000 skulls, at a rough estimate, are piled together. We do not object to ravenous birds being again called in to assist wherever they can be of service, neither do we deny the artist the liberty of making each skull a cleanly chiselled form rather than the wreck of war or of the elements. A poet's license is the painter's privilege. Yet we do think the following announcement, though printed on authority, needs to be received with caution:—

This picture is historically true; Tamerlane, who drenched the whole of Asia and part of Europe with blood, erected everywhere such monuments of his greatness. In comparatively recent times the head of a learned German traveller (Schlagintweit) found its way into a similar heap.

In this remarkable historical announcement we direct special attention to the words, "erected everywhere such monuments of his greatness." How, we would venture to ask, could it be thus easy, in a region where inhabitants are scanty, and where, in consequence, heads must be scarce, to erect everywhere a monument of 8,000 skulls? And yet the painter speaks of "these faithful sketches" as a means of "dispelling the distrust of the English public towards their natural friends and neighbours in Central Asia." We should rather have imagined that thousands of skulls erected into monuments everywhere would have had an opposite effect, even on an "English public."

The numerous "studies" on the spot in oil and in pencil are of real value, not only from their art merit, but as veritable records of the physical geography of countries comparatively unknown, and of the physiognomies and costumes of peoples who have seldom come within reach of a painter's pencil. The scenery may be summed up under the categories of wide plains, high mountains, long and perilous passes. There are four views of "The Pass of Bars-Kaun," directly Alpine in character; a torrent rushes through the midst and the rocks on either side bristle with fire-trees. There are also four "Views in the Alatau Mountains," which might easily be mistaken for the Alps. A lake at the foot of these mountains is tranquil and grey, and another lake, of which there are three sketches, is environed by snowy mountains. Few of the sketches on the South-East frontiers of Asiatic Russia indicate a barren land. Here and there, it is true, we may come upon a ruined fortress, standing on the border of a desert, such as travellers find in the Turkish Empire. Also there are picturesque specimens of mosques, or rather of saints' tombs, such as those on the sandy desert outside the city of Cairo. But, for the most part, the artist has chosen a land which, though left wholly in the hands of nature, shows capacity for culture and a sphere for future civilization. Perhaps some surprise may be felt that these untrodden hills, ravines, and plains do not contrast more strongly with territories which lie within the ordinary traveller's track; but experience seems to teach that the great geographical divisions of the globe, so long as they fall within the same latitudes, offer to the landscape artist pretty much the same pictorial elements. One obvious difference, however, lies in the contrast between cultivated and uncultivated regions, with the usual concomitants of civilized and stationary or uncivilized and migratory inhabitants. Almost without exception the territories here delineated belong to the latter category. The people do not so much inhabit as run over these open tracts; the whole continent is without a hedgerow or other artificial boundary; the only divisions are nature's barriers of rivers and mountains; private property has little more basis than when at the falling of the Tower of Babel men wondered where best they might find a way or the means of sustenance. These studies, in fact, do not reveal a state of things materially different in Asiatic Russia from Asiatic Turkey. In Siberia, in fact, the sketcher would appear to find himself in about the same plight as in Syria. We have travelled on horseback in Samaria, the Lebanon, and along the shores of the Sea of Galilee, and, pictorially speaking, the difference is but slight between such epitomes of Eastern scenery and the vast tracts which have been compassed by this Russian adventurer. In fact, simply for art purposes it is seldom worth while to go far afield, though the world has much to gain in knowledge when a bold wayfarer happens to be a well-trained draughtsman. In the present instance, however, little new can be learnt save the apparent fact that Central Asia is much the same as the centre of European Russia or as the open tracts of the Turkish Empire.

Important to the ethnologist are the studies of all the strange people whom the artist encountered. Here are "Kalmuck Women," a perfect picture of ugliness, stupidity, and dirt; then there are Derivishes, an order of beggar monks, bundles of rags, and yet gay in Oriental colour; "Solone Men and Women," savage, stern, indolent; and "Kalmuck Lamas," cunning knaves, degraded monsters, "but also, with God's help, consulting physicians." The painter's strength lies in the delineation of character. Some months ago we took occasion to speak in warm praise of a faithful study of "Opium Eaters," a work which attracted attention in the last International Exhibition. There is perhaps just a suspicion that these and other characters

may be overdrawn; yet we place faith in their general fidelity, and especially do the pencil drawings of individual heads prove that power of literal transcription which peculiarly distinguishes the painters of Russia. Such capacity for copyism has also enabled M. Wereschagin to make faithful records of the architectural structures and the decorative details which belong to Central Asia. The domes, the minarets, and the geometric surface ornaments are those which in Eastern Europe and in Egypt have been associated with the Mahommedan religion and the Saracenic race. Indeed these interiors of mosques and tombs, ornate with cast stucco, cut stone, and carved or mosaic-wrought wood, from Central Asia, are all but identical with architectural structures and decorations in Cairo and Constantinople. And yet what has sometimes been termed "the ethnology of art" receives in these sketches important illustration.

EUGENE ARAM AT THE LYCEUM.

WE can do no injustice by adopting the manager's description of this play, although we should like to know whether that description is approved by the author. The playbill, which we presume may be regarded as an official announcement, states that the author has invested "this well-known personage" with a halo of romantic incident based neither upon the popular novel of Lord Lytton, nor on the poem of Hood, but mainly upon tradition. "It will be dramatically created by Mr. Henry Irving." A manager is almost a king, and we are not therefore surprised that a playbill should use pronouns with the looseness of a Royal Speech. We are uncertain what "it" is which will be dramatically created by Mr. Irving, but if the manager means that the character of Eugene Aram will be dramatically created, we will remark that this promise has been fulfilled in exactly the same sense in which the character of Jack Sheppard was dramatically created soon after the publication of Mr. Harrison Ainsworth's story. A play which invests a notorious criminal with "a halo of romantic incident" is in some danger of incurring the censure of the Lord Chamberlain; but fortunately it is not easy for the public to forget that Eugene Aram was hanged at York for a particularly atrocious murder. We by no means complain of the success which this piece has attained. On the contrary, we congratulate Mr. Irving on the boundless field which Mr. Wills has opened for the exercise of his talent. His range of parts will henceforth be coextensive with the Newgate Calendar. There is no limit to the process of palliating crime and obliterating the memory of punishment. The statement that "the halo of romantic incident" is "based" upon tradition shows a cool audacity which deserves success. Jack Sheppard became a burglar because he was crossed in love, and Eugene Aram committed, not a murder, but an act of irregular justice, upon a villain. The death of Eugene Aram is required as a tragic termination of the drama; but he dies in a churchyard in the arms of a young and pretty girl, "whose affections he had won, and who assures him of his innocence in her regard." We quote these words from a laudatory notice of this play, as showing how it is generally understood. The author first does his utmost to depict the horror of Eugene Aram at the recollection of a hideous crime, and then represents that this crime was not so very shocking after all. No doubt there have been criminals who have enjoyed the sympathy of young and pretty women. The famous Captain Macheath was supplied with more of this commodity than he well knew how to do with. But, although several ladies would have been ready to assure the handsome highwayman of his innocence in their regard, or at least that they liked him better for what the law called his crimes, we do not remember that any scene of the *Beggar's Opera* is transacted in a churchyard or assisted by an anthem. No quantity of fine writing can conceal the weakness of this drama. The prettiness of the first act, and the power of the second, only show more forcibly the absurdity of the third. The critic from whom we have quoted admits that the public on the first night expected something different from what they saw; but he explains that they ought not to be disappointed. The author has taken an "idyllic view" of his subject. His theme is human guilt and retributive suffering, "tenderly relieved by hovering glimpses of the all-embracing amnesty that awaits repentance." We entirely object to the "idyllic" view of murder, and we think that tenderness is wholly out of place in the case of Eugene Aram. Probably the audience on the first night expected to see the murderer in the condemned cell, and were rather disappointed at the death of Eugene Aram from no apparent cause, unless he caught cold by sleeping in a damp churchyard. The "all-embracing amnesty that awaits repentance" is a difficult subject for the stage; and it is, to say the least, doubtful whether Heaven would be as easily satisfied as the parson's daughter with the explanation that Eugene Aram gives of the motive of his crime. The critic is on surer ground in praising the scenery of the play. The vicarage, with its gravel walks and flower beds, looks as real as such things are ever likely to look upon the stage; and the interior of the same vicarage is only too handsome for the manners of the time. The acting deserves all the praise that has been bestowed upon it. The tendency of the age is towards what may be called speciality in art, and Mr. Irving would perhaps gratify his admirers by playing undetected murderers during the remainder of his career. It is difficult to maintain dignity while sitting or lying upon the ground, and Mr. Irving probably con-

tends as well as possible against the absurdity of his position in the last act.

It is difficult to understand why the author of this play deviated so widely from history. The entire action of the play passes at Knaresborough, whereas in truth Eugene Aram quitted that place after the death of Clarke, and was living at Lynn in Norfolk at the time of his apprehension. Lord Lytton in his novel has adhered closely to fact, and, as often happens, fact is more picturesque than invention. In the play Houseman comes to the vicarage at Knaresborough and borrows spade and pick with the avowed object of exploring St. Robert's Cave. His object is to possess himself of Aram's share of the plunder, which is buried with Clarke's body. He is watched by a suspicious gardener, and thus the murder is discovered. But, according to the story which Lord Lytton has adopted, Houseman having been impelled by circumstances to revisit Knaresborough, happens to pass a spot where a skeleton has been discovered, and people are exclaiming that they are the bones of Clarke. Houseman takes up a thigh bone and says, "That is no more Dan Clarke's bone than it is mine." Thereupon he is questioned, points out where Clarke's bones really lie, and charges Aram with the murder, to which he admits that he was accessory. This incident impresses every mind on first hearing the story, and with the assistance of Lord Lytton it might be effectively represented. We do not of course attach importance to mere accuracy of adherence to fact in a drama, but an author invites criticism by attempts to improve on history. The removal of Aram to Lynn, which was much more distant from Knaresborough at that time than it is now, is an important fact alike for history, romance, and drama. The attempt to begin a new life could hardly be expected to succeed at the actual scene of crime, where Aram's strange behaviour would necessarily connect itself with any suspicion that might have been entertained. Lord Lytton represents Aram as engaged to marry a squire's daughter at his new abode, and the play represents him as engaged to marry a parson's daughter at Knaresborough. It is permissible to both novelist and dramatist to make up any deficiency in the private history of the time, and we have only to remark that the novelist has, in our judgment, shown more skill than the dramatist in this operation. Lord Lytton thought that the hero of a novel ought not to die upon the gallows, and therefore he treats the attempt which Aram did make upon his own life in the prison as successful to this extent, that he dies at the gallows' foot. It would have been easy for Mr. Wills to follow this precedent, upon which we must say he has not improved. Aram might have given his own account of his share in the murder to a sympathizing friend of either sex, or in soliloquy, and then he might have taken poison, and laid himself down to die as the curtain fell. Here would have been an easy way to escape the ridiculous business which is transacted in the churchyard, and neither the cross nor the anthem need have been introduced, which would have been, we think, an advantage. Lord Lytton has put into Aram's mouth a very good apology for his life, and if Mr. Wills would have condescended to turn this into blank verse, with embellishments at discretion, his third act would have been a much more workmanlike performance than it is. In fact, Aram did make an attempt at suicide, which was unsuccessful. He was carried to the gallows, and the hand of the law at least helped to take his life. He wrote a paper justifying his attempt at self-destruction, and that which he wrote was much more in harmony, as might be expected, with his character than that which Mr. Wills has written. The dramatist, like the novelist, seems to have considered that he must not hang his hero, and he further imposed upon himself the difficult condition of bringing that hero to what is called a good end without abatement of his heroism. In fact, Aram dies in the odour of sanctity, but we cannot help thinking that Christianity is able to do tolerably well without such Christians as Aram. Differing from the critic from whom we have already quoted, we have no desire to obtain at a theatre "hovering glimpses" of the forgiveness which is promised to repentance. The English public has not yet arrived at the point of regarding Christianity as a mere machinery for producing stage effects. It has been said that religion was not designed to make our pleasures less, but it certainly was not designed to make them greater at the theatre. Mr. Wills apparently considered that it was his duty to vindicate the ways of Heaven to man, but on this point we differ from Mr. Wills. Mr. Spurgeon, when he was young and gushing, preached a wonderful sermon, in which he described Satan as watching for a murderer's soul, and fearing that the murderer would deprive him by repentance of his expected prey. Mr. Spurgeon is wiser and less pictorial than of yore, and he would probably now agree with us in the opinion that the destiny of the souls of murderers is not a subject well adapted for public discussion. There is a grandeur in the figure of the real Aram, "equal to either fortune," as he said in the last words of his defence, which impresses the mind of every reader of his trial. A dramatist might easily be tempted to produce this figure on the stage. But Mr. Wills either was unable to do this, or deemed that such a figure would make his play unsuitable for family use. He has written a nice play called *Charles I.*, in which there is a good king, who is acted by Mr. Irving, and a wicked rebel, who is acted by a low comedian. Perhaps it has become a speciality of Mr. Irving to make good endings upon the stage, and he may have felt that his character required him to abstain from the immorality of cheating the gallows as the real Aram tried to do. If the actual history of Aram is unsuitable for dramatic treatment, it need not be treated. Mr. Irving

is a clever actor, who has probably many years of professional life before him. His talent will be likely to improve by variety of exercise, and his favourite part of conscience-stricken criminal might, by constant repetition, become tedious.

Lord Lytton was a better artist than Mr. Wills, and he has given an account of the motive which impelled Aram to murder Clarke which is not inconsistent with history, although probably an exaggeration of it. The ability and the acquirements of Aram have perhaps been overrated by writers whom Lord Lytton followed. The written defence of Aram has been often described as a miracle of skill and learning, but Lord Lytton had sufficient shrewdness to see that it did not meet all the points of the case against him. It seems a reasonable supposition that he wanted money to help him to rise to a place in the world equal to his abilities, that he was tempted to join Houseman in robbing Clarke as a means of supplying that want, and that the murder was an unforeseen adjunct of the robbery, and was the act, not of Aram, but of Houseman. Immediately after the fatal night a relation of Aram's died and left him enough money to supply the want which had urged him to an irrevocable step of crime. Surely, if the dramatist desired to handle this story at all, he might take it as it stands. He should be a great as well as a bold artist who undertakes to improve on nature, and it is to be observed that Lord Lytton only attempts such improvement very cautiously, while Hood in his poem takes the story exactly as it came to him.

NEWMARKET CRAVEN MEETING.

MISERABLY small fields were the order of the day at the first of the Newmarket meetings, which was, to all intents and purposes, a festival to the honour and glory of M. Lefèvre. There were thirty-one races, including walks over, during the week, in twenty-two of which M. Lefèvre had one or more than one representative, and fourteen of which he won. The whole of England only supplied eighty-five horses for the various events of the week. As it is not very likely that we shall always have the luck to meet with a French gentleman who cares to keep a hundred and fifty racehorses in training in England, and who enters them and runs them in every possible race, without any regard to pecuniary considerations, the retrospect of last week's racing cannot prove very agreeable to upholders of a sport which it is almost difficult now to call national. The representatives of English stables were not numerous enough to supply an average of three starters for each race of the meeting, and, but for the accidental support of a rich foreigner with a strong taste for racing, the time-honoured Craven Meeting would have dwindled to ridiculously small dimensions. Nor can we see that there is much hope for improvement, so long as there is not the slightest appearance of any new racing men coming forward to supply the places of those who, year by year, are withdrawing from active association with the Turf. Two more eminent breeders of racing stock, Sir Joseph Hawley and Lord Portsmouth, have announced their intention of disposing of the whole of their studs this summer; others of our most honoured sportsmen are far advanced in life, and, according to present probabilities, in another half dozen years there will hardly be as many gentlemen of rank and position who will breed, own, or run racehorses. The sad disasters which have crippled the resources of many families of note, and for which, perhaps with some exaggeration, the Turf has been held responsible, have deterred the rising generation from embarking in what, at any rate, is the most unpromising of speculations. Tastes change also from time to time; and just as four-mile heats and matches have given way to handicaps and half-mile scurries, so these in turn may be replaced by other varieties of sport. Of late years, for instance, steeplechasing has advanced in popular favour as steadily as flat racing has declined.

Small as were the fields on the opening day of the Craven Meeting, it was worth going to Newmarket to witness the meeting of Prince Charlie and Vulcan, and the *début* of Hochstapler. The Craven Stakes were left to the first-named pair, who were brought to the post in splendid condition. Despite all the hard work that Vulcan has done during his chequered career, he looked well enough to suggest the probability that he may keep on running as long as Reindeer, while time has done what might have been expected to improve a horse of such magnificent frame as Prince Charlie. Fordham brought Vulcan along the Rowley mile as hard as he could, but the pace was not good enough to trouble his gigantic opponent, who never shows to greater advantage than on this course, and after one moment of doubt at the foot of the hill, Prince Charlie won cleverly. He required some rousing before he finally shook off Vulcan, whose gallant struggle was worthy of his fame. Then came the long-expected first public appearance of Hochstapler, whose name was in everybody's mouth last autumn, and whom rumour had described as a second Gladiateur. Hochstapler is, however, a horse of pure English breed, being by Savernake out of La Traviata, and is, we need hardly say, the property of Count Renard, the owner of Adonis, Bauernfänger, and other well-known horses. Being engaged in the English Derby, he has been trained since last summer at Newmarket, and this was his public trial. His opponents were Hurlingham, The Colonel, and Planète. Hurlingham, by Trumpeter out of Convent, came out at Warwick last autumn with a great reputation as the coming Derby horse, but he was signally beaten in his first essay. The excuse was then made that he could not act in the dirt, and during the winter he gradually re-

covered his position among the Derby candidates. The Colonel, it will be remembered, acquired some reputation by winning the Spencer Plate this year at Northampton. Hochstapler, who is very backward in preparation as yet, there being a good five weeks before the Derby, is a commanding-looking horse, nearly sixteen hands high, and of great power and substance. Such an exhibition as he made of his three antagonists has rarely been witnessed. From the top of the Abingdon hill he came away by himself, and left Hurlingham and The Colonel to fight together as they pleased for the second place. Nothing could be more satisfactory than this maiden performance of Hochstapler, and the best horse in the world could have done no more, or won with more in hand. Whether Hurlingham and The Colonel are good enough to extend a first-class horse is another matter. Hurlingham, we should say, both from his looks and his running, is an impostor; and if he has any merits, he certainly does not show them in public. A Spencer Plate winner like The Colonel is by no means certain to show to advantage over a longer course; and, on the whole, Hochstapler's grand appearance, fine style of galloping, evident willingness to run generously, and room for improvement between now and the end of May, are better guarantees that he will distinguish himself on the Derby day than his defeat by any number of lengths of Hurlingham and The Colonel.

The Brethly Plate brought out a dozen runners, the most noteworthy being Azalea, Chopette, and Roquefort. The race fell, however, to Chandos, who ran into a forward position in the Middle Park Plate last year. Chopette has apparently lost all her form, for she was throughout conspicuous in the rear. The Fifteenth Biennial had not the importance of former years, for none of the leading favourites for the Two Thousand or the Derby put in an appearance. Gang Forward, Paladin, and Kaiser were all engaged, but all declined the contest. An attempt to get a line was, however, made by starting stable companions, Claudians representing Mr. Crawford; Andred, Lord Falmouth; and the Harlequin's dam colt, Mr. Savile. Negro did battle for M. Lefevre and Copernicus also; His Grace represented Baron Rothschild; The Precher, Lord Lonsdale; and Cheveley made the field up to eight. On public form Andred was undoubtedly the best of the lot, he having beaten Flageolet, Surinam, and the Harlequin's dam colt, and having been beaten only half a length from Gang Forward. Negro's best performance was his defeat of Silver Ring, who was conceding 4 lbs. and sex allowance, by a neck; and the form of the remainder was not good enough to repay examination. The race resulted in a match between Negro and Andred, and the former, who stayed the longest, and climbed the hill with much greater power, won by two lengths from Lord Falmouth's horse. M. Lefevre obtained by this victory a good line for Flageolet in the Two Thousand; and, in addition, can form a fair idea as to the part Negro is likely to take in the Derby. Negro, who is by Saccharometer out of Honey, is a black, like his sire, and possesses much of his quality. He is built on a somewhat small scale, but he is powerful all over, and looks well adapted to encounter the ups and downs of the Derby course.

M. Lefevre only won three races on the first day of the meeting; but on the following day he carried off five, though four out of the five were only plating affairs. The fifth was the Newmarket Handicap, for which fourteen started. M. Lefevre was represented by Houghton and La Méprisée, and among the field were Corisande, Moorlands, Enfield, Falkland, and Protomartyr. There was an unusual amount of swerving, cannoing, and jostling in this race, and for the last quarter of a mile Houghton and Moorlands, by dint of hard riding and hard flogging, alternately headed each other. Ultimately Houghton won, and an objection raised against him by the rider of Moorlands was very properly overruled, because it was obvious that both horses were equally in fault, and that they equally interfered with each other. Houghton is a most moderate horse, though two years ago he won a long race, ending also at the top of the town, and Corisande, with all her weight, must have sadly deteriorated to be unable to get near the front. Falkland and Enfield were knocked clean out of the race by the waywardness of Moorlands—always a coarse-grained animal; and La Méprisée, who was supposed to be better than her stable companion Houghton, had to be content with the third place. There was nothing else worthy of note on the second day, except the first appearance of Mr. Bowles's Gratiniska, a very promising daughter of Macaroni and Klarinska, who won the Column Stakes with great ease from Victoria Alexandra and the Lady Augusta gelding, and will take her own part in the One Thousand and the Oaks.

Thursday's racing would have been beneath contempt but for Laburnum, already a prominent favourite for the Chester Cup, being brought out for a public trial over the two miles from the Ditch-in against Bethnal Green and Alava. This he succeeded in accomplishing in the most satisfactory manner, for, though Alava attempted to force the running to serve Bethnal Green, he could not get out of Laburnum's way, nor could Bethnal Green make an effort when his stable companion was done with. A hollow victory could not be seen, and after Baron Rothschild's horse had passed the judge's chair thirty lengths in advance of Sir Joseph Hawley's pair, he was forthwith made first favourite for the Chester Cup. But Laburnum is a horse of very queer temper. He has run all his best races at Newmarket, especially up the hill to the top of the town. He dislikes a crowd of horses hanging on him, and it is not at all certain that he likes a crowd of spectators shouting at him. Nor is it clear that he will relish the sharp and continued

turns on the Chester course, or that it will be his pleasure to learn the "circus" business which is so necessary for a Chester Cup winner to acquire. Therefore there is yet a good deal of uncertainty about how he will acquit himself on the Roodee; but then to lovers of racing the uncertainty of the thing is half the pleasure. The Hundred Sovereigns Sweepstakes over the Ditch Mile was carried off by Andred, but he had only the wretched Pantomime to beat, and it was hardly worth while to send the latter all the way from Russley, seeing that he has little chance of winning any one of his numerous engagements unless he should happen to be indulged with a walk over. Then Victoria Alexandra beat Wild Aggie just as easily as she was beaten herself the day before by Gratiniska, and renewed attention was directed to the claims of Mr. Bowles's filly. Plating races occupied the rest of the afternoon, and the uncertain Croxteth managed to beat Trombone, and Angela just snatched a race from Borély, the French stable running, for a change, second instead of first three times in succession. The wind-up of the week was the very climax of dullness. Out of eight races on the card, four ended in walks over, and the only one of the four which deserves mention was the Queen's Plate, which was easily won by Lillian, Mr. Feeder not being able to live with her at the finish, and Shannon being beaten a quarter of a mile from home.

The chief results then of this meagre week's racing, so far as the future is concerned, were the establishment of the French and German horses, Flageolet and Hochstapler, in the first, or very nearly the first, place in the quotations for the Two Thousand and Derby respectively. And the general impression left on the minds of racegoers was one of fervent hope that the first meeting of the year at Newmarket was not a sample of the six that are to follow. The Craven and First Spring Meetings have already been cut down from five days to four; but so far from the sport being improved thereby, there was not enough racing last week to fill up even three days. We may hope for better things next week, particularly as on the last two days two-year-old races will be permissible; but it is an ill sign when, with nearly a thousand horses in training at Newmarket, there is such a disinclination to bring them out. Apparently the form of different stables is so well known that one owner hardly cares to oppose another, unless he is pretty certain of the result; always excepting M. Lefevre, who is ever ready to oppose anybody and everybody, and would, we dare say, if he could, start two horses of his own to oppose one another sooner than see a walk over. This state of things is not encouraging. Matches have died out; the old-fashioned rich sweepstakes no longer attract subscribers; the Port and the Claret end in nothing; no human being cares a farthing about the Cup or the Whip, or Eclipse's tail or head, or anything that was his. Even the new style of handicaps fails to meet with the accustomed support, and Newmarket plates have been multiplied till they have become a byword. Clearly it is impossible, because it is so obviously ridiculous, to attempt to continue seven meetings during the year at Newmarket on their present footing. Even the Jockey Club cannot care to perpetuate stakes that invariably end in nothing, and to issue programmes that are never realized. Either racing must be carried on at Newmarket on quite a different basis, or not only the number of days at each meeting must again be curtailed, but there must also be a diminution in the number of meetings themselves. At present Newmarket is kept going pretty much by one person, who is a Frenchman, and by his horses, most of which are French bred. This does not say much for the position of the national sport of England.

REVIEWS.

ANDREW MARVELL.*

THE Rev. Mr. Grosart, the indefatigable editor and publisher of the Fuller Worthies' Library, has come to Andrew Marvell, and has produced the first volume, a comely one, of an edition of his works, which is to fill four volumes. The work is in three sizes, and published by subscription. There are a hundred copies of quarto size, at a guinea and a half a copy; a hundred and six of octavo size, at a guinea; and a hundred and fifty-six of twelvemo size, at half-a-guinea; in all three hundred and sixty-two copies. A publication by subscription is not the same as a printing for private circulation. This edition of Marvell is public property, subject to public criticism. It behoves us to say that the notes and illustrations, more especially of the political poems, require much revision and improvement. But all who feel an interest in the memory of Milton's friend and of a genuine poet will thank Mr. Grosart for his zealous labours on Marvell.

An able biographer and critic of Marvell, in the pages of the *Cornhill Magazine* (July 1869), demonstrated that Marvell could

* *The Complete Works in Verse and Prose of Andrew Marvell, M.P.* For the first time Collected and Collated with the Original and Early Editions, and considerably Enlarged, with hitherto unedited Prose and Poems, and a Translation of the Greek and Latin Poetry, and in the quarto form an Original Portrait on Steel, and other Portraits, Facsimiles, and Illustrations. Edited, with Memorial, Introduction, and Notes, by the Rev. Alexander B. Grosart, St. George's, Blackburn, Lancashire. 4 vols. Vol. 1.—Verse. Printed for Private Circulation. 1872.
The Poetical Works of Andrew Marvell, M.P. for Hull; with Memoir of the Author. Reprint of the American Edition. London: Alexander Murray. 1870.

not have been the author of two political satires which, on the bad authority of a bookseller's compilation—the "Poems on Affairs of State"—have been continually ascribed to him. These are "Hodge's Vision from the Monument," and "Oceana and Britannia." Both refer to events subsequent to Marvell's death. Mr. Grosart, on similar grounds, has exploded a third, "Royal Resolutions." Mr. Grosart does not explain why he denies or doubts the authenticity of three other poems—"Upon the Cutting of Sir John Coventry's Nose," or "The Haymarket Hectors," "The Chequers Inn," and "The Doctor turned Justice." There is no anachronism in any of these three poems. The first two, and the same may be said of "Royal Resolutions," are exceedingly witty, not coarser than many of the pieces not denied or doubted to be Marvell's, and superior in style to some of which Marvell's authorship is not disputed. Mr. Grosart is wrong in the date which he assigns to Marvell's "Britannia and Raleigh." He gives the date "1670, or but little later." But the poem contains this couplet:—

Her creature Osborne the revenue steals,
False Finch, knave Anglesey, misguide the Seals.

Her is the King's mistress, Madame de Querouaille, vulgarly called Carwell, ennobled as Duchess of Portsmouth. Osborne was made Lord Treasurer in June 1673; Finch, Lord Keeper in November 1673; Anglesey, Lord Privy Seal in May 1673; The poem, then, could not have been written much, if at all, before 1674. Of a poem called "Advice to a Painter," Mr. Grosart is right in saying that, if Danby is the correct word in a couplet put into the Duke of York's mouth—

Most holy father, being joined in league
With Father Patrick, Danby, and with Teague—

it must have been written in or after 1674, in which year Osborne was created Earl of Danby. But *Danby* is doubtless the wrong word. Darby, which Mr. Grosart is inclined to substitute, is unmeaning and impossible. Talbot, which he records as a various reading, is doubtless the proper name to be joined with Patrick and with Teague; either Colonel Dick Talbot, afterwards successively Earl and Duke of Tyrconnel, or his brother, Peter Talbot, a Roman Catholic ecclesiastic. The contents of this poem make it clear that it was written while the Duke of York's marriage with the Princess Mary of Modena was in preparation, in the autumn of 1673.

It would be better for Marvell's fame if it could be proved that he had written none of the political satires ascribed to him. None of them were printed in the widow's edition of his poetry of 1681, three years after his death. But his political satires and lampoons were necessarily anonymous, and it would have been then too soon to disclose the secret of his authorship. As it is, the fact of any poem being published among the "Poems on Affairs of State," with Marvell's name attached to it, is no sufficient proof of his authorship. But, without being able generally to be positive as to any one particular poem, common fame and general contemporary belief amply justify us in assuming that many, if not most, of the political satires ascribed to him are his. His rabid enemy, Bishop Parker, describes him as the lowest of lewd revilers, a "satirist for the faction," a "vagabond, ragged, hungry poetaster." Bishop Parker's language and tone about his witty antagonist who conquered him are unseemly enough; but there must exist underneath the fact that Marvell, the member of Parliament for Hull, was an habitual pamphleteer and satirist; and the truth must be added that he who was Milton's friend and a sweet poet of nature and of sentiment has been the accredited author of many satires full of loathsome obscenity and virulent malice. The anonymous is full of danger for men of warm feelings and strong antipathies, as Marvell's were. He was the author of a remarkable political tract, anonymously published, on the growth of Popery and arbitrary government, which incensed the courtier majority of the House of Commons; and the following passage of a letter of his to Mr. William Ramsden of Hull shows how he was careful to avoid acknowledgment of authorship to an intimate friend, while he also abstained from denial:—

There came out about Christmas last a large book concerning the growth of Popery and arbitrary government. There have been great rewards offered in private and considerable in the *Gazette* to any one who could inform of the author or printer; but not yet discovered. Three or four printed books since have described, as near as it was proper to go (the man being a member of Parliament) Mr. Marvell to have been the author; but if he had, surely he should not have escaped being questioned in Parliament, or some other place.

This letter was written June 10, 1678. About two months after he suddenly died. The widow may well have been afraid to avow his political satires, full of scurrilous personality, in 1681. We do not quarrel with Mr. Grosart for publishing all Marvell's poems, or all believed to be his, whether disguised or not by indecencies, for Marvell is an English classic and celebrity, and posterity, to judge him truly, must have all before them. "I will not castrate John Dryden" was Sir Walter Scott's defiant announcement when he undertook his edition of Dryden's works. But it is well to warn fathers of families that the political poems imputed to Marvell contain extreme grossness and unmitigated filth. The virulent personality of these poems is another great blot in Marvell's character. His political animosity against the Duke of York carried him into unmanly and loathsome war against the Duchess. Anne Hyde, who in youthful weakness had yielded to the Duke's dishonourable overtures, and whom he had married by compulsion wholesomely exercised on him, was by general testimony an amiable, and, ever after her early fault, a virtuous woman, much to be pitied for

her husband's indiscriminate and unconcealed amours, and bearing her unhappiness with calm dignity. The sinning Duke aggravated against his poor wife the innocent attentions of two gentlemen of their household—Henry Sydney and Henry Jermyn—who probably pitied the Duchess, and in whose sympathetic courtesies she might be excused for finding some solace of her woes. Marvell, with the utmost unmanliness, rips up her early history, charges her over and over again with profligacy, and over and over again accuses her, against authority and against probability, of poisoning one of her husband's mistresses, Lady Denham. No well-conditioned man can do less than grieve over this style of anonymous satire. One of the most likely of these political poems to be really Marvell's is "The Last Instructions to a Painter," written in 1667. It contains a description of the Duchess of York, of which the two following lines, bad enough, are a tame sample; most of the rest it is not possible for us to print:—

Paint her with oyster lip, and breath of fame,
Wide mouth that 'sparagus may well proclaim.

Marvell then charges her with the foulest vices. Crimes, misdemeanours, and vices are constantly charged in the coarsest language against high officials and members of Parliament; this could only be done anonymously. There is a prose tract, always ascribed to Marvell, being a list of the members of the House of Commons who supported the Court, published at Amsterdam in 1677, which is rampant with personal scurrility. Here is a mild specimen:—Sir Solomon Swale, member for Aldborough, "one whose word will not pass for threepence where he is known, an old Papist, if not priest, but his bald pate excuses his tonsure; a forger of wills." Sir Robert Carr, member for Lincolnshire, brother-in-law of Earl of Arlington, is said to have "two wives living at this hour, one Arlington's sister." We are forced to assume that Marvell was the author of these scurrilous libels. We have no sympathy with Bishop Parker, his vindictive and virulent enemy, but there is some justice in his foul language. The Bishop calls Marvell also a "drunken buffoon"; there is truth here also. His admiring friend Aubrey says of him that "he kept bottles of wine at his lodging, and many times he would drink liberally by himself to refresh his spirits and exalt his muse." It is idle and worse to ignore the truth; Marvell's faults must not be denied or cloaked. The biographer who sees nothing to blame, everything indeed apparently to worship, in the filth and scurrility of his satires, and will admit no truth in Bishop Parker's invective, is afflicted with the *lues Boswelliana* in a very aggravated form. Mr. Grosart describes the satires and political poems as "noble, profound, prescient, wise as witty and witty as wise, penetrating and burning." We cannot go with him here. We refer for our justification to the accounts of Lady Castlemaine (lines 80-104), and of Colonel Birch (142-6), to a passage on Clarendon (473), and another on the Speaker Turner (831-6), in "The Last Instructions to a Painter," besides the abominable description of the Duchess of York, already noticed. We further refer to the account of the Duke of York's vices and diseases (37-54) in "Advice to a Painter," to lines 17-20 of "Nostradamus's Prophecy," to lines 19-22 and 43, 44 of "An Historical Poem," and to the fourth stanza of "Clarendon's House-Warming," on which—for it is a foul reference to Clarendon's daughter, the Duchess of York—Mr. Grosart contents himself with directing his readers to the vile account of her in "The Last Instructions to a Painter," for, he says, "the grossness of this stanza will bear no further explanation." We refer to these passages for proof of our assertion of the filthy indecency of Marvell's political satires.

It is quite clear from what is otherwise known of Marvell's career in Parliament, that Bishop Parker is substantially right in describing him as having there no influence or consideration. We do not sympathize with the fine gentlemen and cormorant courtiers who despised the poor private tutor, the scholar and poet unknown to the world of aristocracy, whom connexion with bourgeois families of the place had made member for Hull, and who received a stipend from his constituents. Bishop Parker writes in his History of his own Time:—

The King being restored, this wretched man, falling into his former poverty, did for the sake of a livelihood procure himself to be chosen member of Parliament for a borough in which his father had exercised the office of a Presbyterian teacher, and done notable service in the rebellion; for there was an ancient custom, that the expenses of those that were elected into Parliament should be borne by the borough for which they were chosen, at the rate of five shillings a day. This custom had a long time been antiquated and out of date, gentlemen despising so vile a stipend that was given like alms to the poor; yet he required it for the sake of a bare subsistence, although in this mean poverty he was nevertheless haughty and insolent. . . . But such men had little weight in that assembly, being looked upon with shame and disgrace, so that if they would do no good, they could do no hurt; for they were hardly ever suffered to speak without being hissed at; and our poet could not speak without a sound basting; wherefore, having frequently undergone this discipline, he learned at length to hold his tongue. But out of the House, when he could do it with impunity, he vented himself with the greater bitterness, and daily spewed infamous libels out of his filthy mouth against the King himself.

Here speaks worldly prosperous gentility against poor honesty and talent. Allow Marvell his faults, that he wrote anonymous libels, and drank intemperately in secret; still he was a brilliant scholar, and had great attainments, and was in poverty an honest, incorruptible man. Was not the Bishop a furious bigot and unchristianly implacable foe? What were not the demerits of the fine courtiers and personages who huffed and booed Marvell? The few notices on record of Marvell in the House of Commons show that he was not in his element there, and was not a favourite.

Grey, the reporter, unusually mentions on one occasion that he spoke "somewhat transportedly." He was called to explain. There was a curious long debate on one occasion (March 29, 1677) on the Speaker Seymour's calling Marvell to order for giving a blow to Sir Philip Harcourt, when much feeling was shown by many members against Marvell; and either ill feeling aggravated a trifle against him, or he committed an indecorum under the influence of wine. Marvell spoke very seldom in the House. There are not more than seven speeches in all attributed to him, most of them very short; one speech only of any length, March 27, 1677, on the second reading of a Bill for educating the children of the Royal Family in the Protestant religion, which he vehemently opposed. He is reported as then saying that "he is not used to speak here, and therefore speaks with abruptness." In one of Marvell's letters to his friend William Ramsden, at Hull, he speaks of the probability of his having an employment in Ireland; the idea was not realized. This would have been probably some place under the Lord-Lieutenant, Lord Berkeley of Stratton, a patriot peer. We are not accustomed to think of Marvell as a placeman, but we may be sure of his honesty. "I think it will be my lot," he wrote in February, 1671, "to go on an honest fair employment into Ireland; some have smelt the Court of Rome at that distance; there I hope I shall be out of the smell of ours." He had in 1663 gone as secretary to the Earl of Carlisle, Ambassador to Muscovy, Sweden, and Denmark, and had been absent from the House of Commons more than a year. Deferentially consulting his constituents, he then wrote to the Mayor of Hull:—"It is no new thing for members of our House to be dispensed with for the service of the King and the nation in foreign parts." There still exists, and has in recent times been acted on, a special provision, under a resolution of 1575, by which diplomatic functionaries may continue members of the House of Commons:—"Any person being a member and in service as an Ambassador shall not be removed during that service."

We have not loved to dwell on Marvell's faults and shortcomings. He is associated in general memory with Milton, who has reflected light on him; but it cannot be said that his soul was, as his illustrious friend's, like "a star and dwelt apart." Wordsworth's praise of Marvell may be turned to exaggerated use, and results only from remembrance of him as Milton's friend:—

Great men have been among us; hands that penned
And tongues that uttered wisdom, better none;
The later Sydney, Marvell, Harrington,
Young Vane, and others who called Milton friend.

To Wordsworth we are sure that Marvell's satires were unknown. Treating Marvell as an erring mortal, we turn with satisfaction from weakness and sin to his better nature. He had two natures.

Enough of sin and shame and blight,
Think rather of those moments bright
When to the consciousness of right
His heart was true;
When virtue prospered in his sight,
And wisdom grew.

We gladly believe that it must have been an ineffable relief to him to exchange malicious satire and debasing thoughts for the study of his loved classics and the composition of that sweet poetry which has made him famous in after-time. His scholarship was of the first order. Many Latin poems of his are before the world. Milton highly commended his scholarship, writing to President Bradshaw to beg his appointment to be an assistant to himself as Latin secretary, "laying aside," he grandly said, "those jealousies and that emulation, which mine own condition might suggest to me by bringing in such a conjoiner." Aubrey says of him:—"He was a great master of the Latin tongue; an excellent poet in Latin or English; for Latin verses there was no man could come into competition with him." We are spared the need of large quotation from Marvell's sweet and serious poetry. There is a recent cheap edition of his poems. Gems of his poetry are encased in favourite collections, in Palgrave's *Golden Treasury*, and in the *Household Book of English Poetry* of Archbishop Trench, a poet of merit who has set the stamp of his high authority on Marvell's poetry. We make an exception by quoting some lines, of dignity suitable to the subject, from Marvell's "Poem on Paradise Lost," which has done much to unite his name with Milton's:—

When I beheld the poet blind, yet bold,
In slender book his vast design unfold;
Messiah crowned, God's reconciled decree,
Rebelling angels, the Forbidden Tree;
Heav'n, Hell, Earth, Chaos, All; the Argument
Held me awhile, misdoubting his intent
That he would ruin (for I saw him strong)
The sacred truths to fable and old song
(So Sampson groped the Temple's posts in spite),
The world o'erwhelming to revenge his sight.

That majesty which through thy work doth reign
Draws the devout, deterring the profane;
And things divine thou treat'st of in such state
As them preserves, and thee, inviolate.
At once delight and horror on us seize,
Thou sing'st with so much gravity and ease,
And above human flight dost soar aloft
With plume so strong, so equal, and so soft;
The Bird named from that Paradise you sing
So never flags, but always keeps on wing.
Where couldst thou words of such a compass find?
Whence furnish such a vast expanse of mind?
Just Heaven thee, like T'resias, to requite
Rewards with prophecy thy loss of sight.

Well mightst thou scorn thy readers to allure
With tinkling rhyme, of thy own sense secure;
While the town-Bayes works all the while and spells,
And like a pack-horse tires without his bells:
Their fancies like our bushy-points appear,
The poets tag them, we for fashion wear.

Mr. Grosart's note on "town-Bayes" is unsatisfactory. "Is Bayes Bavius anglicized," he asks, "or is town-Bayes an ironical name for the town-Laureate, or, as Ben Jonson calls Munday, the city poet?" The town-Bayes is Dryden, the Post-Laureate, not city poet, christened Bayes in the *Rehearsal*. There is probably more than a coincidence in the word *tag*. Marvell probably knew from Milton the story which Aubrey tells of Dryden's request for leave to adapt *Paradise Lost* to a play in rhyme, and of Milton's reply that he might tag his verses. This story gives point to the last lines of our extract. Dryden clearly had a grudge against Marvell, and this passage is probably the explanation.

Let us now contrast the poet Marvell, with all his faults, with the great Bishop Parker, his vindictive and railing enemy. Two centuries after both have disappeared from the earth, what are the relative fames of the names of the haughty Bishop and the poor poet and scholar and low-born faithful member of Parliament? Who cares for the Bishop's memory, and who does not value Marvell's? It would be well if transitory worldly greatness would take a lesson from such an instance. When Marvell remonstrated in the House of Commons against heavy fees imposed on Milton by the Sergeant-at-arms who had had him in custody, Sir Heneage Finch, the Solicitor-General, pronounced his opinion that Milton deserved hanging. Some years before a future Primate of Ireland, Bramhall, wrote that Milton had deserved to be turned, not only out of the University of Cambridge, but out of the society of men; and that if Salmasius knew as much of Milton as he did, he would make him go near to hang himself (*Rawdon Papers*, p. 109). Locke, whom all now revere as a philosopher, was ignominiously expelled by a truckling Bishop from a Christ Church studentship at Oxford, in obedience to the arbitrary mandate of a profligate Secretary of State, for alleged "factious and disloyal behaviour," which the Bishop disbelieved. Who would now care to exchange the places of Locke, Milton, and Marvell in the gallery of fame for those of Bishop Fell, Earl of Sunderland, Archbishop Bramhall, Sir Heneage Finch, afterwards Earl of Nottingham, and Bishop Parker?

TROLLOPE'S AUSTRALIA AND NEW ZEALAND.*

WE have delayed for some time our notice of Mr. Trollope's book upon Australia; long enough, indeed, for it to have reached a second edition before we have rendered our account of the first. Our apology for the delay must be very simple. It is wrong, as a rule, to review a book without reading it; and reading Mr. Trollope's performance has been a work of time. Two portly volumes might be filled with the records of a year's stay in Australia, of which every line should be amusing; and Mr. Trollope in his ordinary vein certainly possesses the art of amusing his readers. On the present occasion, however, he has been ambitious of soaring above that humble aim. He has not so much written a story as compiled a blue-book. He appears in the character of a politician and an economist. He gives us disquisitions upon colonial institutions, upon land laws, upon the effect of the gold discoveries, upon the labour question, upon the fate of the aborigines, upon railways, upon preserved meat, upon ecclesiastical arrangements, and upon a number of other questions of the gravest, and occasionally of the driest, character. Now on all these subjects Mr. Trollope has much that is interesting to say. We cannot, indeed, profess to regard him as a great political theorist; he is not, and makes no pretensions to be, the Tocqueville of the Antipodes. He is a fine specimen of the true John Bull in politics, and possibly might be stigmatized by Mr. Arnold as a Philistine. But, though we do not anticipate much new light from his remarks, we willingly admit that he writes like a solid, sensible, and painstaking man, who is frequently commonplace, but never silly. We have therefore no disposition to complain of Mr. Trollope for indulging in disquisitions about matters of more serious importance than the love affairs of two or three imaginary couples. The misfortune is that he has carried into another province of literature the habits which are certainly excusable, and perhaps meritorious, in his peculiar style of fiction. One of the qualities to which Mr. Trollope owes his success—though by no means the highest—is his unwillingness ever to write above the capacity of his public. He is aware, or he instinctively assumes, that the ordinary English novel-reader is above all things a person of indolent mind; and that consequently he likes to have set down in plain black and white a number of facts which people of quicker understanding would be glad to take for granted. Hence Mr. Trollope is never afraid of boring us by explanations. He gives all the ins and outs of every little domestic complication, and repeats all the "says he's" and "says I's" at full length and in perfect reliance upon our sympathy. The result justifies his confidence; we are amused without being excited; and we follow the development of his plots as we make the acquaintance in real life of a set of ordinary but sociable and kindly people. This method, however, becomes not a little tiresome in political disquisitions. The habit of composing in perfectly simple sentences, each of them

* *Australia and New Zealand*. By Anthony Trollope. London: Chapman & Hall. 1873.

conveying one easy proposition, makes him intolerably diffuse. To take an example, pretty much at random, Mr. Trollope wishes to explain that it is very important to devise some means of preserving Australian meat. Most writers would credit their readers with sufficient acuteness for discovering the reasons of this circumstance for themselves. Mr. Trollope, however, begins, properly enough, by giving the figures which prove that meat is much cheaper in Australia than in England. Next he tells us that the price of other necessities of life is equalized by the cost of transporting them. Thirdly, this is the case with wheat. Fourthly, the difference in price of tea, sugar, and other articles in different countries is due rather to the duties on import than to the cost of transport. Fifthly, "meat has hitherto been an exception to this rule, from a cause that is manifest to every one." Sixthly, this cause is the decomposition of meat exposed to the air. Hence, seventhly and lastly, it follows that it would be desirable to transport meat as securely and cheaply as other commodities. Nothing can be truer; but is it necessary to construct a chain of seven links in order to demonstrate this familiar truism? On the same principle, Mr. Trollope is given to indulge in little expositions of the theory of the British Constitution. He expends a page or two in pointing out that when a Minister has encountered an adverse vote under certain circumstances, he may either resign or ask for a dissolution. Once more we say, that is very true; but might you not for once take something for granted? Two and two most certainly make four; but a proof of the theorem need not be given every time it is used.

The diffuseness of Mr. Trollope's style is aggravated by the mode in which the book was composed. He tells us, with admirable frankness, that he wrote it as he went along. He finished off his account of Queensland before he had begun to work up Victoria; or, as he puts it, Queensland "had been, as it were, despatched and cleared out of his mind." Now this method of writing has its advantages. If Mr. Trollope had been giving an account of personal adventure, we should have been glad to have the story as set down whilst the events were still fresh in his mind. But when the object is to discuss political problems, the advantages of this system are exceedingly doubtful. There are many conditions which are common to each of the seven colonies visited by Mr. Trollope; and we have thus to listen to discussions substantially identical seven times over. The land questions, for example, are very important and very complicated. If Mr. Trollope had got up the subject as well as he could, if he had arrived at certain definite conclusions, and discussed them in logical order, pointing out how far the same principles had been applied in the different colonies, how far the systems differed, and what light was thrown upon each by the experience of the others, he might have given us a really useful dissertation. As it is, we are confused and worried. Mr. Trollope's method in this instance saves himself at the expense of his readers. He gives us a mass of amorphous pleadings, and does not take the trouble to sum up or compare. In order to arrive even at his own opinions upon the subject we should have to go through a considerable amount of labour; though, if we had noted all the various passages in which the topic is touched, and were to bestow a second or a third reading on some which have become rather dim in our memory, we might doubtless succeed in codifying Mr. Trollope, and drawing out a systematic profession of faith from his voluminous pages. We have not done so, for various reasons; and we are not therefore in a position to say with any confidence how much new light he may have thrown upon the matter.

Thus much, indeed, we dimly gather. Mr. Trollope, politically considered, is a good sturdy Whig. He believes in the British Constitution and in the advantages of the *via media*. He likes good, solid, substantial reasons for everything, and turns a deaf ear alike to sentimental loyalty and to democratic Buncombe. He holds that Government should be kept in order, and that the Colonial Office is much too fond of red tape. There is nothing, in his opinion, so good for a nation as letting it alone. Thus he looks forward to the gradual emancipation of the colonies. Their enthusiastic loyalty strikes him as, on the whole, a little absurd. It is impossible, he thinks, that this vast empire should really be ruled much longer from Downing Street, and the Australians should be encouraged to run alone as soon as possible. We are all the more likely, he considers, to part on friendly terms, when the inevitable parting comes, if we do not try to keep up an impracticably close connexion. On the other hand, Mr. Trollope is not by any means a rampant Radical. He watched, and has described with a good deal of humour, the proceedings at some of the miniature Parliaments of the antipodes. He admits that they are a good deal wanting in that decorum which we are accustomed to think essential in a legislative assembly. The members are in the habit of using extremely vigorous language about each other; the Speakers have very lax notions of enforcing order, and the newspapers are very ready to explain the little amenities which have passed by imputations on the sobriety of their representatives. He admits, too, that Cabinets have an unpleasantly short tenure of office as a general rule; and that political purity is by no means valued so highly as it ought to be. All this, however, does not materially disturb his complacent optimism; everything will come right in the long run, if only it is let alone. The scurrility and brutality of political life are at any rate a sign that people take an interest in politics; and the one thing to be dreaded is indifference. The ferment will gradually settle down as society becomes more organized; and a decent political order will be evolved out of the

conflicting elements. To all this we need say nothing. Mr. Trollope may be right or wrong; but it is tolerably plain that we need not expect much new light from him; we have only to remark that, of ten ordinary members of the Cobden Club, probably nine would come to much the same conclusions, though they might express them rather more briefly. The subject upon which Mr. Trollope has much to say that seems to us really valuable is on the difficulty of obtaining a confederation of the colonies. There are many reasons for wishing that at least a customs union might be brought about as soon as possible upon the Australian continent; but politics there are still too much in the vestry stage. Petty local jealousies obscure wider views, and the centrifugal seem at present to be too strong for the centripetal forces. In fact, a federation has hitherto been produced only by some strong external pressure. The United States were forced into alliance under great difficulties by their common hostility to England; and Canada has been forced into unity only by fear of her overbearing neighbours. Australia is fortunately free from such motives, and is likely long to remain free from them; but as population extends, and the mutual relations of the colonies become more intimate, one would hope that more far-sighted views may prevail.

Mr. Trollope goes in so much for statistics and for politics that his lighter material is pushed into corners. It is a pity, for the lighter material is by far the most interesting, and is occasionally very good. Mr. Trollope, indeed, is hampered by a very natural difficulty. He cannot speak of individuals without offending against the laws of private confidence; and he most properly refrains from seasoning his pages with personalities. There is indeed one description of a member of a colonial Assembly to which we should fancy that there could be no great difficulty in assigning a name; and, if so, we hope that the person indicated may learn a lesson from the remarks which he has provoked; but elsewhere Mr. Trollope has most scrupulously avoided saying anything which can wound anybody. We applaud his discretion, but it also follows that his field of description is considerably narrowed. However, he describes with great animation many of the amusing incidents of his journeys. There is a really humorous and vivid account, for example, of some of the convicts whom he visited in Tasmania; in regard to which we only regret that its length prevents us from quoting it. There is a description, again, of hunting in Australia, given with all the vivacity which we might expect from the author of *Hunting Sketches*; and we may safely say that, by resolute skipping, a very amusing volume may be extracted from the two before us, which would occupy perhaps two hundred and fifty out of the thousand pages. In describing scenery Mr. Trollope is hardly successful, and he justifies himself by declaring rather broadly that nobody can describe scenery. Nobody, indeed, can set before us scenery totally different in kind from that with which we are familiar; but it is possible to describe the emotions which the scenery produces on the mind of the traveller, and we need hardly refer to cases in which this has been done. Mr. Trollope, to say the truth, seems to have had his mind rather too exclusively fixed upon questions about sheep-farming and land laws, and at times upon questions of dinner and comfort, to be very much moved by the scenery. However, he has given some good touches even of this kind, which may at least stimulate our curiosity; and we would hope that he may attract some members of the Alpine Club to the snowy peaks of New Zealand.

An innkeeper, overheard by Mr. Trollope through the partitions of corrugated iron, observed that Mr. Anthony Trollope "must be a damned fool to come travelling in this country in such weather as this"; and Mr. Trollope apparently agreed with him at the time. We entirely deny that Mr. Trollope is a fool—with or without any epithet prefixed—either for travelling or for publishing an account of his travels. He doubtless did well both in visiting Australia and in recording his impressions. But we wish that he had tried to form them into a book, instead of tumbling them out as an amorphous mass of writing.

FERGUSON'S DIALECT OF CUMBERLAND.*

TO deal with a local dialect is a much harder thing than most people seem to fancy. As a rule, people who sit down to make local dictionaries and glossaries appear to think that there is nothing to be done but to put down all words, forms of words, or meanings of words which at all differ from modern high-polite English. Those who go a little further than this stick on something by way of etymology, "derivations" from "Saxon," Danish, or sometimes things further off. The natural consequence is that the same word, form, or phrase is found over and over again in different local glossaries belonging to the most distant parts of the kingdom. A word or form or phrase which has vanished from high-polite English is perhaps in familiar use everywhere from Kent to Cumberland. It is perhaps in no way characteristic of one district more than another; it is an archaism; in delicate ears it is a vulgarism; but it is in no sense a localism. But, because it is in familiar use while it is not in high-polite use, every maker of a local glossary from Kent to Cumberland at once puts it in his book, as if it were characteristic of his own district. Words of this class have really no business in a local glossary at all; they have their place in the general history of the language,

* *The Dialect of Cumberland, with a Chapter on its Place-Names.* By Robert Ferguson. London: Williams & Norgate.

but they have nothing to do with the particular history of any of its local forms. Then there is another large class of words, which may be said to be accidentally local—words once common to the whole language, but which have lived on in particular districts only. Thus there are a vast multitude of words which are commonly called North-country, or, more commonly still, Scotch, which are simply words that are in themselves no more Northern than Southern, but that have lived on in Northern English while they have been lost in Southern. Words of this class belong equally to the general and to the local inquirer, but it is rather the business of the local inquirer to find out, if he can, why they have been preserved in one part of the country while they have been lost elsewhere. These of course ought to be found in a local glossary of the part of England to which they are now peculiar, but they ought to be carefully distinguished from words which are in themselves local, words or forms which, as far as we know, not only are not now, but never have been, in use in other parts of the country besides those of which they are now characteristic. When this last class has been really separated from the other two the work of the local etymologist begins. Take, for instance, a word or form or phrase which is in use in Yorkshire or Lincolnshire, but which is now unknown in Southern England. In a vast number of cases, far more than people commonly think, the fact simply is that the word has gone out of use in Southern England. To take a very familiar case, the word "bairn," which everybody would now call a North-country word, perhaps a Scotch word, is itself no more Northern than Southern. It has simply dropped out of use in the South. But it may be that the word or form is one which not only is not now in use in the South, but which there is no reason to think ever was in use in the South. Then comes the question of its origin. In the two counties which we spoke of, the question would be, Is it Anglian as opposed to Saxon, or is it Scandinavian as opposed to English in the wider sense? In some other districts, Cumberland among them, there is the further chance, stronger or fainter, that it may be British. These are the kind of facts which it is the business of a local inquirer to work out, and, as a rule, they fail to be thoroughly worked out from the difficulty which affects all local inquiries. A local subject can never be thoroughly worked out except by a man who is quite capable of dealing with the general subject, and a man who is capable of dealing with the general subject will not very often stoop to deal with the local subject. In fact, a local inquiry calls for such specially keen and minute kind of investigation, combined with a thoroughly wide view of the general subject, that it really seems as if greater powers were needed to deal with a local dialect or a local anything else than are needed for inquiries which seem to have a wider scope. A man cannot deal with the dialect of a particular district unless he thoroughly knows the history of that particular district, and he cannot thoroughly know the history of that particular district unless he is thoroughly master of its relations to other parts of the world. In short, a local work of any kind, if it goes beyond the barest collection of facts, is a somewhat more difficult task than people seem commonly to think it.

Let us take, for instance, the district whose dialect is treated in the little book before us. First of all, What is Cumberland? The word has more than one meaning; the Cumberland of the modern map takes in some districts which at the time of Domesday were part of Yorkshire; this we had occasion to point out at the time of those amazing letters in the *Times* about the omission of Cumberland in the Great Survey. That omission was something much more important than the mere change of the boundaries in the county. To be in Yorkshire was, then as now, to be in England, but to be in Cumberland was then distinctly not to be in England. Modern Cumberland is formed by adding a piece of English Yorkshire to the old un-English Cumberland which is represented by the late diocese of Carlisle. Almost the first question which one would ask in inquiring into the Cumberland dialect is, whether there is any difference in dialect, or in anything else, to be perceived between that part of Cumberland which in Domesday is part of Yorkshire and that other part of Cumberland which became part of the kingdom of England only under William Rufus. Then, again, one would naturally ask what is the relation of Cumberland in either sense to the districts North and South of it, districts closely connected with its history, and its separation from which is one of the great puzzles of our early history? Then we have the remarkable phenomena of that whole region of which modern Cumberland forms a part, and the special phenomena of the special district added to England by William Rufus. Cumberland, in this sense, made no part of the English conquest of Britain. There is no reason to think that it was occupied by any settlements of Angles or Saxons in the time of the first invasions. It was a fragment of the great Welsh kingdom, call it Strathclyde or what we will, which was ruled by Scottish princes, which must have received a large Scandinavian colony, Norwegian rather than Danish, which further received a colony from Southern England under William Rufus, and at least a temporary Flemish colony under Henry the First. Now the great peculiarity of this Cumbrian history is that the Scandinavian settlement, which has left such important traces on the local dialect and nomenclature, is unrecorded. In Yorkshire, Lincolnshire, Norfolk, we know when the Scandinavian settlement took place, and under what leaders. In Cumberland, setting aside a dark passage of Henry of Huntingdon, we infer that there was a Scandinavian settlement because we see its still abiding effects; but we know

not at all when or how it took place, and there certainly never could have been any Scandinavian dynasty in Cumberland such as we know reigned in Yorkshire. We hardly know what inferences to make or what kind of language we should expect from the presence of these various elements. The Scandinavian settlers, who did not even displace the reigning Celtic dynasty, cannot have made so thorough a sweep of the Celtic inhabitants as the Angles and Saxons made in England. We have no data for the proportions of Britons and Northmen to one another, or of the proportions of either to the English colony planted by Rufus. But we may fairly look for three elements, British, Scandinavian, and English; the Scandinavian being likely to be the greatest of the three. Mr. Ferguson's glossary now before us does not give us so much help as we should have liked in settling all these questions. Some of them he does not seem to have thought of at all. Thus he tells us:—

In Cumberland a great part of these names date from the division of the soil among the followers of the Conqueror, of which Denton gives us many of the particulars. Thus Dovenly was called from Dolfin, the son of Ailward, while Ailward the father gave his name to Ailwardby, perhaps the present *Allerby*. *Gamelby* took its name from Gamel lord of Bothel; *Melmerby* and *Ousby* (formerly *Ulfisby*), from Melmor and Ulf, the sons of Halden or Halfden.

We do not know anything about Denton or the particulars which he may have given; but it is certain that he cannot have given any authentic particulars of "the division of the soil among the followers of the Conqueror" in any part of Cumberland except that which in the Conqueror's time was part of Yorkshire, and for that we should go to Domesday rather than to Denton. Dolfin and Ailward, Gamel and Ulf, are moreover strange names for "followers of the Conqueror," especially if the Dolfin here meant is the one whom William Rufus drove out of Cumberland. This kind of talk does not lead us to expect any very scientific treatment from Mr. Ferguson. He stands, however, on a much higher level than most writers on local subjects; it is plain that he understands the languages which he is writing about, though he does not seem to have grasped their historical relation to one another in the district with which he has to deal. The peculiarity of Cumberland is that the Low-Dutch element represented by the English and Flemish colonists of the days of the Conqueror's sons is in Cumberland a later stratum than the Scandinavian element; while in Yorkshire, or in any other part of England where the two come together, the English is the earlier and the Scandinavian the later stratum. We might therefore fairly expect the Scandinavian to be the main essence of the dialect, and the purely English element to be an infusion at the one end, like any traces of Welsh which may be found at the other end. This, however, depends largely upon the exact extent of the English colony in Rufus's time, a point about which we know very little, though we do know that it was a real colony, as they came with their wives and their cattle and sat down to dwell and to till the ground. In writing a book which is not a mere glossary, but which contains a good deal of philological and quasi-historical disquisition, Mr. Ferguson should not have left all these things wholly out of sight.

We need only open the Glossary to find in almost every page some words which really seem to be distinctive, and which probably are really Scandinavian, while there are plenty of others which are simply obsolete in modern English, or very often not obsolete at all, but in familiar use everywhere. We can see nothing distinctively Cumbrian in such common words as "afore," "ax" (in modern form ask), "bag" for a cow's udder, "bang" in the sense of beat—in the sense of *excel* or *surpass*, one would think it must be slang, like the kindred use of *beat*, *whip*, and *flog*—"barm," "baste," "batten," "bid," "bide," "boggle," "booze," "brand new," "brat," "bumble-bee" (*ωσπερ μίλιττ η βομβύλιος εισιρχεται*), and a crowd of others, which, if they are used in Cumberland, are equally used in other places also. *Combe* or *Coomb*, meaning valley, on the other hand, is just the sort of word which ought to be in the Glossary. It is not peculiar to Cumberland, but it is distinctive and characteristic of Cumberland; it is found in Cumberland for the same reason for which it is found in Somerset; namely, that both were districts in which the British speech held out longer than usual. So again, "bannock," a cake, seems to be a real Celtic word. "Bain," on the other hand, meaning "near, convenient, applied to a road; willing, handy, applied to a person"; seems to be real Scandinavian. We are not aware that it is to be found either in ancient or modern English. So "gain" in the same sense, which has much the same meaning, is, as far as we know, peculiar to the Scandinavian parts of England. And Mr. Ferguson also gives us here and there some by no means bad bits of philology. For instance, he puts *bairn* in his list, though it is local only in the sense of having lived on in some parts, while it has dropped out of use in others; but he shows that he knows the fact:—

Anglo-Saxon *bearn*, Old Norse *barn*. This word, originally common to all the Teutonic idioms, was superseded by *kind* in Germany as early as the thirteenth century, and by *child* also in an early period in Southern England. It is still in exclusive use throughout the whole of Scandinavia, as also throughout Scotland and Northern England.

So under the word *en*, meaning *than*, he raises a fair philological question:—

May be derived from the Old Norse *enn* than—*meira enn athir*, "mair en others." But we also find in Prov. Germ. (Henneberg) *enn* for *den*—*mit mehr enn drei*, "nit mair en three." The Old Norse *enn* is formed by anapoe from *thenn*, as is the Prov. Germ. *enn* from *denn*. Or, in other words, it may be said to be the result of defective pronunciation. "The

anacope," observes Cleasby, "is entirely Scandinavian"—which, if it means that it is not to be found in German, is to be qualified by the exception above quoted. Now the question is—is our word derived from the Scandinavian, or is it the result of similar phonetic tendencies within the dialect itself? To this we can give no certain answer; but in any case it is probable enough that these phonetic tendencies in our dialect (of which another instance is *er* for *nor*) may be of Scandinavian origin.

In this way there is a good deal of real philological matter to be gleaned from Mr. Ferguson's book; and it of course has the value that any collection of facts must have. But it would have been better if it had followed throughout the more strictly scientific method, and if the very remarkable history of the district had been more directly brought to bear upon its language.

ZINCKE'S MONTH IN SWITZERLAND.*

IT has become a recognized fashion for travellers who write books to expatiate on almost everything which may be nearly or remotely suggested by the course of their travels. Perhaps it is too late to protest against the fashion at all, though by the light of nature it is difficult to see why a man whose own observation has furnished him with materials for an essay on land tenure or education should not roundly put forth his essay, backed by his observed facts, rather than lead it in surreptitiously, parenthetically, or apologetically, under pretence of narrating the circumstances under which the facts were observed. It is easy enough, indeed, to see that this latter course may save the trouble of detaching one's thoughts from the transitory associations in which they first arose, and putting them into a more orderly shape. The trouble saved to the writer is made up, however, by the reader. It would save still more trouble, and with a result in the end of the same kind, though greater in degree, if authors never corrected their proofs. But at all events it would be unfair to blame any individual writer for following the common practice in the matter of using a holiday tour as a nucleus for the collection of miscellaneous notes. Therefore, when we say that Mr. Zincke's *Month in Switzerland* is a book of this miscellaneous kind, we do not mean to prejudice the reader against it. There are many excellent books, such as dictionaries, whose very nature it is to be incoherent and desultory. Only we are compelled to observe for our own protection that it is the duty of a reviewer to reflect as faithfully as may be the general character of the book reviewed; and that if our review appears desultory and incoherent, it will be because we could not otherwise give any adequate notion of the desultoriness and incoherence of this particular book.

Mr. Zincke is a traveller of a quick and intelligent, but we should say not very sympathetic, mind, who has set down the thoughts that were excited in him by the stimulus of novel aspects of man and nature, apparently without much deliberation or manipulation. As to manner, these thoughts are always expressed in fluent and readable language; as to matter, they are sometimes ingenious, generally sensible, and occasionally commonplace. Not that Mr. Zincke can be accused of egotism, for he is not less willing to preserve things which other people communicated to him. He goes so far as to give a chapter to a "Drama of the Mountains," written at Aigle, at the end of the tour, by the youngest member of his party, who is generally described as "the blue boy." The doings of a clever child are always interesting, and this is a curiosity in its way; but we think it was not quite fair to the boy to print it. It is only just to mention that the most material digression, of which more presently, is marked off in a chapter of its own, and introduced with a certain form and solemnity.

The first thing we naturally look to in a book of Swiss travel is what the writer has to say of the mountains. Mr. Zincke's tribute to the powers of the ice-world is decent and respectful, and perhaps it ought to satisfy any reasonable person; but it is hardly enough to satisfy a mountaineer. It is pretty clear that in this tour the mountains were not the primary object. At two critical points, both likely to call out any mountain enthusiasm which the visitor may have latent in his nature, the Rhone glacier and Grindelwald, nearly twice as much space is given to the hotels as to the glaciers; and we may remark by the way that Mr. Zincke's general estimate of Swiss hotels does not seem to us quite fair. Really it is no fault of an innkeeper's if his guest finds honey disagree with him, or gets tired of always having his breakfast served in solid white china. We are indeed glad to find that Mr. Zincke duly appreciates the merits of the all but ideally perfect Alpine headquarters afforded by the "Eagle" at Grindelwald. Yet, from the mountaineer's point of view, one cannot but deem this a meagre account of one of the most splendid and impressive scenes of the Oberland:—"Two great glaciers come down into the village from the two sides of the Mettenberg, which here has the Eiger on its [i.e. the spectator's] right, and the Wetterhorn on its left." Not a word of that marvellous precipice of the Wetterhorn plunging straight down into the valley; nor of the dazzling amphitheatre of the Viescher Grat that closes in the basin of the Eismeer; nor of that exquisite undulating crest of the Eiger which perfectly realizes Mr. Kingsley's simile of a leaping wave frozen before it falls. We gather incidentally that the day was fine, and we presume that the travellers were rewarded for their journey over the Wengern Alp by seeing a clear sunset at Grindelwald. And the glory of a September sunset on those mountains

is assuredly a thing not to be forgotten. But of this too there is never a word. After the merely topographical statement we have quoted comes a note of the number of hours the party had been "on the tramp," and the journal quietly proceeds:—"September 14.—Returned early to our *voiture* to Interlaken." It is a mystery to us how anybody can be content to spend only some fraction of a day at such a place as Grindelwald, and return early the next morning to Interlaken. But so it is, that many come and go, scarcely knowing what marvels they have seen; they gaze in wondering curiosity, or approve with discreet and distant admiration; and the divine madness of mountaineering is a gift not to be received by all men. And a comparative indifference, for such we must think it, to the peculiar influences of the higher regions is the less matter for surprise in a traveller who has other purposes, and who is bent on observing many other things besides the mountains. Certainly we are not such fanatics as to suppose that in Switzerland, or even at Grindelwald, the mountains are everything; and we do not speak as criticizing, much less as blaming, Mr. Zincke on account of his attitude of mind in this respect, but only as giving notice of what is not to be expected from him. If he does not meet us with any very active sympathy, yet he is in no way against us. Indeed the thanks of Alpine climbers are due to him for some very judicious and sensible words of approval, which are the more valuable as coming from a disinterested witness. It is pleasant to turn from the random moralizings of the daily press on the folly of mountaineers, repeated with the same confidence and the same ignorance almost every season, to the opinion of a cultivated and observant traveller, who, having been in many lands and seen many forms of human activity, concludes that mountain climbing is, on the whole, "the most rational and stirring" of all athletic pursuits. And Mr. Zincke does in one place express a hope of making the better acquaintance of the ice-world at some future time:—

We had now completed the circuit of the great ice-field of the Bernese Oberland. . . . We had had a near or more distant view of all its chief snowy peaks, but had nowhere crossed any part of the snow-field itself. That, perhaps, may be the work of another day, when the blue boy will be old enough, and the rest of the party not yet too old, for such work; for those who are not up to Peaks, either of the first or second class, may still graduate as Pass-men by crossing the ice-fields between the Peaks.

One might cavil, if so disposed, at such a loose way of speaking of "the snow-field" of the Bernese Oberland, when a glance at the Federal map would show at once that this form of words corresponds to nothing in nature; and one might observe that it is not true as a general proposition that all passes are easier than all peaks. It is true that the easiest of all glacier expeditions are to be found in a few well-known passes; but it is also true that less frequented passes (without counting one or two so-called passes made by mistake, and, as Mr. Ball puts it, "not recommended for general adoption") afford some of the very hardest. But we commend the intention, and will not quarrel with details.

Our attention must now be turned to some of the miscellaneous contents of Mr. Zincke's volume. We take the oddest thing first. There is a little æsthetic discussion about the peculiar effect of moonlight, and incidentally to this Mr. Zincke translates a celebrated passage of Homer, with this apologetic remark:—

I have essayed a rendering of this famous simile, not because I hope to succeed where so many are supposed to have failed, but because, as may be believed of a country parsonage, I have not a single translation at hand.

Now the passage in question is the very same which has been translated by Mr. Tennyson. Thus we are driven to a puzzling choice between improbable conjectures. Either Mr. Zincke has not a copy of *Enoch Arden* and its companion pieces in his parsonage; or he has the volume and has never read it; or he has read it and forgotten all about the very interesting "Experiments" collected at the end; none of which alternatives would commend itself to our reason in the case of any person, not to say a parson of Mr. Zincke's culture and abilities. The only guess left is that the book was there once, and that some friend, not exempt from the communistic leanings in the matter of books and umbrellas which are found in the most respectable society, borrowed it and carried it off past recovery. But we confess ourselves at a loss.

The most considerable digression is a chapter on peasant proprietorship, suggested by the observation of that system as established in the valley of the Visp. Mr. Zincke handles the subject with much ingenuity, and in the main with sound reason. His general conclusion as to the life of peasant owners is that, while it is independent and blameless, yet, "after all, it is the moral life rather of an ant-hill or of a bee-hive than of this rich and complex world to which we belong." Accordingly the system is unsuited to an advanced industrial and mercantile community like ours. After some acute discussion of our own existing state of things, and the reasons which make it unsatisfactory, Mr. Zincke gives his own view of the land question. He considers the true question to be, What is the best way of bringing the resources of capital to bear upon land? And the solution he propounds is the owning and working of agricultural land on a large scale by companies. Reasons are given for supposing that such joint-stock enterprises would yield considerable profit, and would, indeed, be the only way of developing the resources of the land to the best advantage. Any one who could afford to take a share or two in one of these land-owning companies might thus acquire a substantial interest in the land. The idea is novel and striking, and we should like to see a serious attempt to work it out. Of course the advocates of peasant proprietorship would object to it that it does not provide for satisfying the desire, assumed by them

* *A Month in Switzerland*. By F. Barham Zincke, Vicar of Wetherstead, Chaplain in Ordinary to the Queen. London: Smith, Elder, & Co. 1873.

to be a necessary and universal part of human nature, to call a specific bit of land one's very own. But Mr. Zincke has very little opinion of them, holding that "we shall never in this country see anything approximating to peasant proprietorship. That is simply inconceivable in the era of capital." In the course of this discussion on land-owning there are some good observations on the different moral effects of possessing different kinds of property, especially the negative moral effect, as it may be called, of property which gives its possessor no trouble. Mr. Zincke goes so far as to say that "the simplicity and gentility of a large fortune in Three per Cent. Consols" is likely to educate the holder in refined selfishness.

The copious water supply of Swiss towns and villages gives occasion for a strong protest against our own shortcomings in this respect, and a prediction of the day when "a public, free, inexhaustible supply of the purest possible water will be the first care of every community, great and small." We hope we may soon take example by the Swiss, and realize Mr. Zincke's hope. Pure air and pure water are not in themselves virtue and happiness; but it is of little use bidding the people of our towns be happy or virtuous without them.

We may finally say in commendation of this book that it is not overloaded with small travel talk and incidents. Such things as the writer does relate have some point and individuality to justify them. Here is a piece of grim American humour, gathered at Meiringen:—

A practical man—I took him for one who had struck oil—was leaving the hotel. A porter, assuming an expectant air, takes up a position at the door of the hotel. The practical man addresses him in a firm tone, "Now, sir, tell me everything that you have done for me beyond your duty to the hotel." A look of blankness comes over the porter's face, and he steps aside. The practical man, with the look of one who has discharged a lofty duty, steps into his carriage.

But it is time for us, too, to step aside, and leave Mr. Zincke's volume to pursue its journey in the world. If the duty we have discharged in telling the reader what he may expect to find in it can hardly be called lofty, it has at least been agreeable; and we part from these results of a month in Switzerland with imperfect sympathy, indeed, in some points, but with satisfaction in most, and with respect in all.

LIFE OF H. T. COLEBROOKE.*

HENRY THOMAS COLEBROOKE, the greatest Sanskrit scholar of his day, and probably inferior in this one line to very few, if any, now living, was the son of Sir George Colebrooke, some time member for Arundel, and formerly Chairman of the East India Company. That a magnate of Leadenhall Street should endeavour to provide for his family by appointments in the Civil Service was quite natural, and when the father became involved in difficulties owing to unfortunate speculations, his two sons went to India as "writers" on the Bengal establishment. Sir George Colebrooke was himself a man of literary tastes, and his wife is described as a person of unusual force of character. Young Colebrooke was never sent to any school at all, but he was evidently a lad of quick perceptions and studious habits, and, after a home education, he landed in India at the early age of seventeen, well grounded in classics and mathematics, with a considerable command of French, and with some knowledge of German. The position of the servants of the old Company was at that time peculiar. Clive had, some years before, given the death-blow to the gigantic system of plunder and corruption which enriched individuals and disgraced the English name. Cornwallis had not yet placed the whole civil, criminal, and revenue administration of the country under an official hierarchy nobly remunerated and yet properly supervised. Things were in a state of transition. Senior merchants who had good appointments at Calcutta, or who were Chiefs of the provincial Councils of Patna, Dacca, or Moorshedabad, lived generously, dispensed profuse hospitality, and saved fortunes. Writers and factors were glad to get unimportant situations at the Board of Accounts or the Court of Requests, or were starved and discontented on 80*l.* or 100*l.* a year. The general tone of society was not exactly edifying. Gambling, drinking, and duels were the amusements or excitements of the community, and a fine old lady, deceased only fifteen years ago, used to declare how she herself had seen Lord Wellesley, who had officially prohibited horse-racing on a Sunday, setting the fashion of an outward morality by attending divine service in his full official robes. Young Colebrooke appears to have spent about three years in Calcutta, hunting, shooting, and studying the languages. In 1786 he was appointed Assistant to the Collector of Tirhoot, a rich and populous district of Behar, and in 1789 he was transferred to the next district of Purneah. The inquiries which terminated in the Perpetual Settlement of Lord Cornwallis were then in full progress; and, doubtless, in these districts Colebrooke laid the foundation of that intimate familiarity with Hindu usages and modes of thought which secured him an early elevation to the Bench, and eventually a seat in Council. In 1793, the year of the said Perpetual Settlement, Colebrooke was placed in charge of the huge district of Rajshahye. In mapping out the country for official purposes, our early administrators selected as stations or local capitals the residences of modern Nawabs or ancient

Rajas. Such selections were sometimes singularly infelicitous. Nattore, the head station of Rajshahye, was some thirty miles from the left bank of the Ganges, and for five months of the year it was a mere island in a vast sea of rice. The station was abandoned subsequent to Colebrooke's time, and a second fatality characterized the new choice of a centre. Civilians who had been struck down by malarious fever at Nattore were transplanted to Rampore Baulia, on the crumbling banks of the Ganges; and in the space of the last thirty years, court-houses have vanished and alleys lined with splendid trees have been eaten up by the simple process of diluvion and erosion. From this swampy and feverish district of Bengal Colebrooke was transferred to the drier climate and more congenial society of Mirzapore and Benares. By this time his character and attainments received their due reward and recognition, and he was sent by Wellesley on a diplomatic mission to the Raja of Berar, which enlarged his experience and occupied him for more than two years. On his return he was appointed Judge of the Highest Court of Appeal, known for seventy years as the *Sudder Adawlut*, and some time afterwards he was made Chief Judge of the same tribunal—a position which he had practically filled in the estimation of suitors and of colleagues from the time of his appointment. In 1807 he became member of the Supreme Council. In 1810 he married; and, his wife dying after four years of what appears to have been unalloyed domestic happiness, he finally quitted the service in 1814. Previously to his departure he had been President of the Asiatic Society of Bengal. In his retirement he continued the same course of laborious research and scientific inquiry which had illustrated his Indian career. Though in 1823 he declined the offer of the first Presidency of the Royal Asiatic Society, he accepted a similar post in the Astronomical Society in the next year. His later life was tried by failing health, by loss of sight, by domestic sorrows, and by some family annoyances; and he gradually sank, and died on March 10, 1837, in his seventy-second year.

The above is a record of a life not wholly uneventful, and yet not passed in scenes of stirring interest or importance; of faculties naturally acute and developed by assiduous culture to the highest point of perfection; of attainments which, if exceeded in point of versatility, have in one branch of study not been surpassed; and of a character upright, honourable, unblemished, and pure. It now remains for us to take a short survey of some of his acquirements, and to estimate, as far as possible, his place in the republic of letters and in the Indian oligarchy. We do not gather from the memoir the precise nature of the influences which set Colebrooke to explore the mines of Oriental literature, and to separate their ore from their dross. Something was obviously due to the necessity of mastering at least two of the Oriental languages as a condition precedent to success in his profession. But we suspect that the main incentive came from Sir William Jones, who about the year 1790 was at the zenith of his reputation, and of whom his more illustrious contemporary Gibbon could truly say, in one of his pithy notes, that he was "perhaps the only lawyer equally conversant with the year-books of Westminster, the Commentaries of Ulpian, the Attic pleadings of *Isæus*, and the sentences of Arabian and Persian *Cadhis*." It is curious, by the way, that to this list of attainments the historian should not have added Jones's unquestioned proficiency in Sanskrit. But, whatever the motive power in the case of Colebrooke, it is certain that he must have commenced his Sanskrit studies under difficulties and obstructions which it is scarcely possible to exaggerate. Elementary works did not exist. Grammars and dictionaries were composed in the very language itself; and the former, whatever may be said for their depth and comprehensiveness, were clearly compiled on the sacred principle of locking up knowledge from the eyes of the vulgar and of turning a fine vehicle of thought into a series of philological conundrums. Then it is also certain that Brahmans were at first unwilling to display their occult science for the curiosity of *Mlechhas*, or outward barbarians; and though Colebrooke could not conceive "how it came to be asserted that Brahmans were ever averse to instruct strangers," it is thoroughly well established that difficulties were experienced by Jones and others. Some Pundits would not read except on particular days; others feared the reproaches of their fellow-countrymen; and even those who were willing to teach Hindu epics, law, and divinity for a consideration, had little of the art of imparting what they knew. Colebrooke's industry and aptitude carried everything before him. He became a scholar erudite, accurate, and profound. Curiously, however, he chose for his first essay in literature the very practical subject of the Husbandry and Commerce of Bengal. Fully to discuss such a question familiarity with the dead languages of the East is not indispensable. Excellent Reports on land tenures, ploughs, implements, and products have been written by civil and military officers of active habits and a liking for field sports, who knew nothing but the vernacular of their district. From specimens given in the memoir we see no reason to doubt that, had Colebrooke turned his attention to purely executive details, instead of to judicial work and to philological researches, he might have rivalled the reputation of Thomason or Munro. At another time he wrote a short paper on a peculiar sect of the Mohammedans. We are told that he was a good Arabic scholar. But his main pursuits were Hindu law, theology, and literature, and, incidentally, science. And with these two great subjects before his eyes, he was almost always translating some learned work, conducting some lengthy correspondence, or publishing some thoughtful essay. He compiled a grammar and edited a

* *The Life of H. T. Colebrooke.* By his Son, Sir T. E. Colebrooke. London: Trübner & Co. 1873.

lexicon, he translated treatises on law, he expounded Hindu philosophy, he deciphered ancient monuments and inscriptions on rocks, and his inquiries extended from the precession of the equinoxes, as observed by native astronomers, to the exact heights of those magnificent snowy ranges which had first delighted his eyes while collecting revenue and shooting partridges in the plains of Purneah. We think that he might have attained to great eminence in the physical sciences had he not made Oriental literature his chief pursuit. Sanskrit scholars are under deep obligations to him. It is not that he facilitated the study of the language by the preparation of elementary works, or by annotated editions, for his grammar would probably be useless to any one not possessed of his extraordinary capacities. But he explored and illustrated some wholly unknown departments of Eastern philosophy; and, if not an unquestioned authority on canons of taste, he hazarded no conjectures, he ventilated no plausible theories, and he attempted nothing which he did not fathom. His translations of two well-known law books have never been superseded, and are used to this hour by lawyers bred in Westminster Hall and by native gentlemen who have taken academical honours in the University of Calcutta. The memoir gives us no details as to his judicial career, though we cannot but think that a research into the volumes of Select Reports of the Sudder Court would have brought to light curious cases in which questions of caste or social and religious rites were illustrated by his acquirements, and knotty points of inheritance solved by his legal lore. More than a quarter of a century ago, when a judge superior in ability to his colleagues was adorning the bench of the Sudder Court, it was said by old law practitioners that the days of Harington and Colebrooke had returned. The portrait of the former, known for his excellent Analysis of the Laws and Regulations of Bengal, now adorns the walls of the new High Court of Calcutta. The fine bust of the latter may be seen in the rooms of the Asiatic Society in the same city.

While admitting the depth and extensiveness of Colebrooke's erudition, we cannot avoid the conclusion that he belongs to that class of scholars whose talent for communicating truths, as remarked of Niebuhr by Macaulay, by no means equals their talent for investigation. He never could have been a popular writer; and the extracts given in the memoir are marked by a somewhat unwieldy diction and a heavy style. It was possibly a consciousness of these defects which induced him to refuse an invitation to contribute to the *Edinburgh Review*. Something is no doubt due to the character of the subjects on which he wrote. But examples are not wanting of other Eastern scholars who have handled such topics with gracefulness and ease. Classic elegance was wanting to Colebrooke. We may be quite certain that he could never have written anything approaching to the imitation of Alceus by Sir William Jones. Nor could he have transferred glowing Oriental imagery and feeling to heroic English verse with the success attained by the late Professor Wilson in his poem of the *Cloud Messenger*. But the Sanskrit reading of Jones scarcely extended beyond the epic poets, a few plays, and the Laws of Manu; and Horace Hayman Wilson, with all his talent and originality, was not to be compared to Colebrooke in accuracy and depth.

Those who have been accustomed to regard Colebrooke as a laborious student and a man of a reserved, thoughtful, and unimaginative disposition, will be surprised to find him occasionally the slave of ardent and impulsive feelings. But they break out on more than one occasion. He inveighs, in his early letters, against the crooked policy of Hastings, at the time when that remarkable man had the sympathy of the whole Settlement. He advocated Free-trade and attacked the monopoly of the East India Company, when such views were unpopular in high places, and when they might have injured his own prospects. At another time he bought some land in America, and he invested a considerable sum in the purchase of real property at the Cape. He wrote a pamphlet pleading for a relaxation of the Corn-laws; he recommended emigrants from Great Britain to turn their attention to the Cape; and he fancied that he had discovered a solution for some difficult Indian problems when he desired to people the plains with what he calls creoles, or half-castes. Some of his early opinions strike us as rather crude. The Persian language with him is "too dry to entice," though it is not very easy to conceive what epithet we ought to select for his favourite Sanskrit, if dryness is held to be a characteristic of the Persian language, with its simple grammar, its admirable moral tales, its ornate poetry, and its historical narratives not paralleled by anything in the whole range of Sanskrit literature. At a later period he did not seem to care much for the *Edinburgh Review*; he observed that it had "declined in excellence," and he anticipated its "cessation." At the same time he seems to have devoured all kinds of writers, and while at Nagpore he read through a complete edition of the British Poets. His son, not unaptly, compares his father to Cato, as Cicero describes his friend, immersed in books, and yet attending to the business of State. Another classical prototype is suggested to us by the elder Pliny, who read in his litter, pretty much as Colebrooke may at times have read in his palanquin. Private correspondence with distinguished scholars was carried on by him unremittently in the intervals of business, and he appears to have written regularly to his father. During a journey in tents at the hottest season of the year, he kept a diary of his tour. We are bound to say, however, that his letters reflect, in most instances, the severe character of his studies. With the exception of a few notices of birds and beasts, to which he was attracted as much by his love of natural history as of sport, the

correspondence is taken up with requests for books, literary jottings and plans, and even astronomical calculations; and his letters to Sir Thomas Strange, H. H. Wilson, and other native and English scholars, must, we think, have resembled the celebrated interchange of epistles between the Antiquary and Dr. Dryasdust, which went on for six years and then only settled the first line of an inscription.

His political opinions were occasionally in advance of his age. We have already spoken of his views on commerce and Free-trade, and he incurred the displeasure of the Court by the part he took in certain financial measures of the Supreme Council. But we have only space for a notice of one other topic, and that is the long and now half-forgotten controversy on the rite of Suttee. It is admitted in the memoir that when the Government of India first took up this question in earnest, and endeavoured to regulate and control the practice, the opinion of Mr. Colebrooke was allowed great weight, and the rules for the guidance of officials were always considered to have been mainly drawn up by him. The biographer states that his father used to vindicate the course taken by Government on the ground that direct suppression would have been met by resistance, and that it would become a point of honour with natives to persevere. We should vindicate Colebrooke's character on other grounds. The rules were not practically enforced until the year 1814, nor were regular statistics collected until the following year. From that date until the abolition of the rite in December 1829, statistics of burnt widows were supplied with the regularity of Poor-law returns, and one of the most tremendous of controversies raged during that period between those who recommended perseverance in attempts to control the practice and those who saw no remedy but entire abolition. The official literature of Suttee, between 1815 and 1830, is one of the most curious and instructive in the voluminous Indian archives; and those who may ever explore our Blue-books will be amazed at the perverted doctrines of the priesthood, the curious and suggestive facts showing how the practice had increased under British supervision, the growing demoralization of the populace, the fierceness of the paper warfare, and the apathy and timidity of two long Administrations. Colebrooke, who had drawn up the rules, left India for good without having any opportunity whatever of seeing their effect. We venture to think that if, either on the bench of the Court or at the Council Board, he had seen the unexpected result of the half measure, a man of his humane, courageous, and thoughtful disposition would soon have been ranged on the side of the abolitionists. It is one thing to hear the echo of a controversy in retirement in England, and another to discuss it with a true sense of responsibility and with accumulated facts, while the pyres were lit up in the very suburbs of Calcutta, literally, at the average of one every week.

We have endeavoured to do justice to a life and a memoir which, though by no means light reading, and only attractive to a certain class, may have yet a sterling value for all who take interest in Oriental researches, or who wish to trace the various roads to eminence opened by an Indian career. The biographer, we should mention, has performed his task with judgment and good taste. There are some few misprints, arising out of the inevitable employment of a copious Oriental phraseology; but Sir Edward Colebrooke is evidently a man of no inconsiderable acquirements, and his early training in the Bengal Civil Service has enabled him to pick his way skilfully amidst laws and Regulations, treatises and titles, unfamiliar regions and strange castes. In the eyes of ordinary Asiatics Colebrooke will never hold the same place as those early pioneers and civilizers whose appearance is hailed by them as an incarnation of equity and order. And many an Englishman will tell us that he had far rather have "settled" a province than have deciphered an Edict of Asoka, and that he would prefer the gratitude of a million of agriculturists to enrolment in all the learned Societies and Academies in the world. But there is no need of any such invidious comparison. The foremost of English and Continental scholars at this day bow in reverence at the name of Colebrooke, while hard-working and less learned civilians ought to look on him as one of whose attainments, writings, and character any service might be proud.

TIMBS'S DOCTORS AND PATIENTS.*

IF irrelevance is the art of straying from your subject, Mr. Timbs may be said to have mastered it in the present compilation; unless he pleads that his title is a happily exhaustive one, embracing all the conditions of humanity and everything in which human beings can find concern. It is certainly true that, taking a sufficiently wide view, all things are included in it. All men are doctors or they are not, and, if not doctors, they must be patients in fact or in possibility; even those who resolve to be neither one nor the other finding a legitimate place as exceptions to the rule. Moreover, every position, pursuit, circumstance, or accident in life has its medical aspect, and may be treated as beneficial or adverse to health. Nor does death sever the indissoluble chain. Patients die; therefore funerals are in place; or they only seem to die, so the fascinating horror of being buried alive may claim at least a chapter. And where the link is less obvious ingenuity need never be at fault. Thus patients dream; therefore the theory of dreams is in place, and how some dreams come true. Some

* *Doctors and Patients; or, Anecdotes of the Medical World and Curiosities of Medicine.* By John Timbs, F.S.A. London: Bentley & Sons. 1873.

patients are fat, so Daniel Lambert's epitaph hits their case; music pleases or displeases in sickness, so we have Luther's defence of harmony as a weapon against the Devil. Superstition is connected with anatomy by the child's caul, discussed in poetry and prose. Scepticism is an affair of liver or digestion. Sympathies and antipathies, poisonings, phrenology, intoxication, gardening, pastry and Shrewsbury cakes, magic, travelling, cookery, botany, the North Pole—the material body politic appropriates them all.

These two volumes probably constitute the residuum of a long life's commonplace or rather scrap book. After more than one gleanings, what was reducible under no other head is thrown together here, and left to place itself very much by accident, the same facts not seldom appearing under different headings; and the most enormous numbers and statistics being given with an audacity of trust very fortunate for the reader with an appetite for wonders. Of course, if there had been a great deal to say about doctors, or patients either, there would not have been room for all these offshoots from the main subjects; but there is little about them viewed apart, and scarcely anything in conjunction. It is remarkable indeed, considering the universality of sickness and the crowd of doctors in every age who come in contact with it, how slowly the store of anecdote grows—of the anecdote at least that finds its way into print. The good stories here told are mostly so old and familiar to the corners of newspapers that we must not venture to repeat them. The epigram on Dr. Lettsom, the repartees of Rastell and the paviour, and Rastell and Sir Godfrey Kneller, the drunken Dr. Fordyce and his unconscious diagnosis "Drunk, by Jove!" the ingenious artifice by which the nobleman is taught that his fee of three guineas ought to have been five, the bearishness of Abernethy, and a good thing about wooden legs—all these take their place by a sort of natural right, but there are few additions to the floating stock of anecdote, and we look in vain for the graver contribution of the subject which books, especially of biography, give. Except where passages are extracted from works with a similar title and design, the material for the present work is borrowed almost entirely from magazines, reports, and newspapers. We searched at once, but in vain, for some of our old friends—for some mention, for example, of Dr. Willis, "the most famous physician of his time, whose Latin style for its natural sweetness, pure elegance, delightful unaffected neatness, none scarce hath equalled, much less outdone," who in pursuit of his calling "kept Abingdon market every Monday," and who won such fame in it as to be buried in Westminster Abbey; and again, for his contemporary George Bates, whose successful career is quaintly condensed by his chronicler. His practice lay at first among precise and puritanical people, who took him for one of themselves; but when Charles I. came to Oxford and appointed him his chief physician, his views took a different colour, which, however, changed when the Royal cause declined; and, retiring to London, he managed his interests so well as to be appointed to the same office to Oliver while General and at length Protector, whom he flattered to an extreme degree. Nor could the turns of fortune take him by surprise. At the Restoration he got on again with the Royal party, "by his friends' report that he had, by a dose given to Oliver, hastened his end"; and we lose sight of him as Chief Physician to Charles II. and member of the Royal Society. Nor is the name and credit of more recent doctors set forth by Mr. Timbs as we should have looked for. It would seem as if the medical faculty could only attain to vulgar fame by some touch of eccentricity or absurdity allying it with the earliest practitioners of the art, some quaintness or precision of dress, roughness of manner, or deliberate affectation adopted for the purpose of notoriety. There are no instances in these volumes of skill in its highest exercise, of that sagacity of insight which constitutes the true physician—the faculty for which Dr. Baillie was distinguished, and of which biography records some examples; as when Francis Horner consulted him in illness, and he gave it as his opinion that his disease was one or other of two so rare as to be almost without example in pathological science, and on a post-mortem examination it appeared he had been suffering from both of them.

However, as these volumes are beyond the province of criticism, and are only compiled by the author, we will not dwell further on omissions. They have elements of popularity. Desultoriness is not an insuperable objection, else books of anecdotes would not be such favourite reading; and scraps of science or fragments of information are interesting to a good many people who shrink from a larger dose of either, and yet are willing to believe that they read to some purpose. To such readers the following advice is scarcely applicable, yet, as a useful hint to those whom it may concern, we extract it:—

Dr. Anderson was often heard to say that clergymen, authors, teachers, and other men of reflective habits lose much health by losing sleep, and this because they carry their trains of thought to bed with them. In my earlier years I greatly injured myself by studying my sermons in bed. The best thing one can do is to take care of the last half hour before retiring. Devotion being ended, something may be done to quiet the strings of the harp, which otherwise would go on to vibrate. Let me commend to you this maxim which I somewhere learnt from Dr. Watts, who says that in his boyhood he received it from the lips of Dr. John Owen, a very good pedigree for a maxim—*Break the chain of thought at bed-time by something at once serious and agreeable.*

The faculties of medicine and divinity do not always agree, as they must do here, in the duty of promoting bodily comfort and efficiency. Certainly no moral teacher would sanction the advice of Sir Theodore Mayerne, the prescriber to so many crowned heads, who recommended, we are told, a monthly excess of wine and

food as a fine stimulant to the system; and the mention of chloroform and Sir James Simpson's use of it in these pages recalls the objections that were raised to his efforts to lighten the primeval curse upon Eve and her daughters. Asceticism has often, and with some force of logic, opposed surgical alleviations; for why, it is said, take pains to rid yourself of heaven-sent ailments and inflict at the same time self-chosen torments? So we read that St. Cyran, when Director to Agnes Arnauld, set his face against the lancet which was to open her abscess, though the lancet merely as an instrument for letting blood was at its height of favour. "La mère Angélique," who took nothing else away with her when she left Port Royal, carried her lancet, which had already caused torrents to flow—she sharing in the popular idea so long prevalent (as here quoted from the *Edinburgh Review*), and accepted alike by doctors and patients, that people could not have too much of a good thing, and that they required a periodical hand at the pump to keep them from foundering.

Mr. Timbs, though not severe generally in his dietetics, is an alarmist on the subject of cucumbers. He extracts from the *Medical Circular* a reminder that this vegetable, from the mode of forcing—being shut up close in a hot atmosphere and the solar action excluded by blinds—acquires certain acrid and purgative principles not unfrequently in a state of concentration, accounting for the sufferings sometimes resulting from a "surfeit of this fruit." We offer the view for the consideration of the "immoderately fond" who indulge in surfeits:—

We consider before using the cucumber it should in every instance be sliced and purged of the preponderance of its acrid and purgative elements by treating with a little salt and then saturated with vinegar for some hours previously—never eaten without, in fact—otherwise it is very apt to produce choleraic diarrhoea. . . . It is related that Dr. Glynn of Cambridge, being in attendance on a lady patient, pointed out to her the impropriety of eating cucumber, of which she was immoderately fond; when he gave her the following humorous receipt for dressing cucumber. "Peel it with great care, then cut it into very thin slices, pepper and salt it well, and then throw it away."

We make no apology for changing the subject to the bedside of the so-called dying; for sudden transitions are of the nature of the book. One of its topics is "Helping the Dying," and a story is quoted of a clergyman inquiring of the parish doctor how he had left his patient:—

He told me the room was full of friends and neighbours, all telling her she could not last long; and, said he, "I make no doubt she will not; she is sinking, because she thinks she is dying; yet I see no other reason why she should, and I could not get one to leave the room." I entered, and my authority had a better effect. I turned all but one out of the room, and addressed the woman who was apparently exhausted and speechless. I told her exactly what the surgeon had said, and that she would not die, but be restored to her husband and children. The woman positively started, raised herself in bed, and said with an energy of which I did not think her capable, "What, am I not dying? Shan't I die? No! Then, thank the Lord, I shan't die." I gave strict orders that none should be admitted, and the woman did recover and has often thanked me for saving her life.

None are kinder to their neighbours than the poor so long as there is hope, but when hope is—as they judge—over, they have a sense of something being due to themselves; and a quick summary end that shall not keep everybody in suspense for no good is a blessing to all parties. A nurse who had done her duty well in a lingering case of dropsy and sustained a cheerful mien through it all, when she considered the case unreasonably protracted, said, with an air of pleasantry, which the sufferer did not take amiss, "One would think nobody had ever died before, you make such a fuss about dying!" We find ourselves concluding with a "patient" who is not one of Mr. Timbs's commemorating, but it is one of the effects of a rambling book to set the reader rambling on his own account.

THE ATHANASIAN CREED AND THE UTRECHT PSALTER.*

WE have frequently taken upon ourselves the office of finding fault with the defects of the Catalogue of the Cotton MSS. But it is undoubtedly no fault of the Catalogue or of its compiler that the volume Claudius A. VII. is described as wanting. There are so many other *lacune* which are partly due to the fire which injured so many of the books that still exist in a more or less mutilated condition, and partly to accidental causes which it is needless to particularize, that it would have been quite hopeless to guess at what the contents of this particular volume might be. The missing book has, however, happily been identified. A book in the Utrecht Library, now known as the Utrecht Psalter, has the press mark Claudius A. VII. stamped upon it, and has the usual marks of having once belonged to Sir Robert Cotton's collections. It is one of the remarkable results produced by the last few months' controversy about the Athanasian Creed that this splendid volume, the existence of which had been entirely unknown in England, has been brought to light. All that is known of its history is that Archbishop Ussher had seen it in Sir R. Cotton's library in 1646, and that when Waterland wrote his *Critical History of the Athanasian Creed* in 1724 it had disappeared. From that time to this no English scholar had any knowledge of what had become of it, and we now know that, just six years before Waterland published his work, this Gallican Psalter had been presented to the University Library at Utrecht.

* *The Athanasian Creed in Connexion with the Utrecht Psalter.* Being a Report to the Right Honourable Lord Remilly, Master of the Rolls, on a Manuscript in the University of Utrecht, by Sir Thomas Duffus Hardy, D.C.L., Deputy-Keeper of the Public Records. 1873.

by Monsieur D. de Ridder. The Deputy-Keeper of the Record says it had *happily* become the property of the Library because by this means it escaped the fire which destroyed so many precious volumes in the Cottonian Library. But, though there are two or three other volumes lost out of the fifty or sixty which are marked by the name of the Emperor Claudius, it does not appear that this part of the Library suffered much from fire, so that we fear we have not even that poor consolation for the loss which the Deputy-Keeper considerably suggests. We have no means of guessing whether the book was stolen or whether it has accidentally strayed from its proper home; neither is it of much consequence now. It is a great satisfaction that it has been found, because it has settled for ever the lately vexed question as to the antiquity of the Athanasian Creed in the exact words in which it is still used in the Breviaries of the Western Church.

Into the theological question of the date of the composition of this document it is neither our province nor our intention to inquire. It rests entirely upon internal evidence; but we may at once say that we make no doubt that Waterland is correct in assigning it to the first half of the fifth century, though he has spoiled what appears to us a very complete argument by the baseless suggestion of the name of Hilary Bishop of Arles as its author. But, whatever be the truth of this conclusion, or the cogency of the arguments by which it is established, probably few people have learning or ability enough to master the question; and such persons as are in this predicament will hail with satisfaction an argument the force of which is irresistible, that the Creed must have existed at least as early as the sixth century, because the handwriting of a manuscript in which it is found at full length is beyond all question of a date not later than that century.

And this is what the Deputy-Keeper has established beyond—as it appears to us—any possibility of gainsaying. We have had an opportunity of examining the four beautiful pages which he has had photographed from the original, and of reading the luminous Report upon the Utrecht Psalter which he has presented to the Master of the Rolls, and we much regret that the latter has not been printed and published in a smaller form, and so rendered accessible to students in general. We hope that this may still be done. Meanwhile, for the benefit of others who have not had the advantage of seeing this privately printed volume, we may give some information about its contents.

The Deputy-Keeper speaks with the utmost confidence of the date of the handwriting as being not later than the sixth century; and certainly there is a striking resemblance between the character of the handwriting of the Utrecht MS. and that of the MS. at Paris which is known as No. 8,064, specimens of which are given in Astle's work on handwriting, and which is generally pronounced to be at least as early as the sixth century. The Deputy-Keeper even thinks that the two may have been written by the same scribe. That would perhaps be more than we should like to assert, especially as we have seen another specimen which more closely resembles it. It is that of the Ambrosian palimpsest, from which Angelo Mai edited the fragments of Cicero's oration in defence of Scaurus. The editor of these fragments was of opinion that the handwriting was as ancient as the time of the Antonines, but this certainly cannot be maintained. The character of the writing of all these MSS. is what is called Roman rusticated, and, what has some weight in estimating the antiquity of the palimpsest, the writing which covers the original in the Ambrosian MS. is itself of the seventh century.

Our readers are aware that a theory has lately been propounded by Mr. Foulkes to the effect that this Creed is a forgery of the ninth century committed by the saintly Paulinus, Patriarch of Aquileia. In the present article we only profess to deal with the question as Sir Thomas Duffus Hardy has treated it, as a question of palaeography. We need only, therefore, say that Mr. Foulkes's theory has been entirely crushed by Father Jones and by Professor Brewer. But, as we observed before when speaking of the date of the composition of the Creed as ascertained from internal evidence, few persons will care to enter upon the subject. A reasonable exception, however, may be taken to the Deputy-Keeper's assertion of its antiquity, on the ground that Professor Westwood, who once ascribed it to the same period, has, though without assigning any reasons, changed his opinion, and now speaks of it as possibly of the ninth century, the character of the sixth with its rustic capitals having been copied. Unquestionably this argument will hardly suit the views of those who maintain a late origin for the Creed, as, if it were good, it would show that another copy of the document exactly like this copy of the ninth century had been executed in the sixth. This, however, we are not concerned with now. The character is admitted on all hands to be that of the sixth century. Those who assign to the document a later date ought of course to be able to show good reason for their opinion. It will be admitted that the *onus probandi* rests with them.

Nevertheless the Deputy-Keeper of the Records has in his elaborate and most conclusive preface anticipated every objection that he could conceive to be alleged against the date he has assigned to the document. Perhaps the most plausible objection yet urged against it is the allegation that in the Apostles' Creed, which as well as the Athanasian is appended to the Psalter, there occurs the article *Descendit ad inferna*. Now it is said, and truly said, that this article did not exist in the Roman Creed till the latter end of the eighth or the beginning of the ninth century. But the objection in reality proves nothing more than the fact, which is otherwise incontestable, that this document was not written at Rome, but in some other place, possibly in the

patriarchate of Aquileia, where this article was acknowledged as an article of the Creed—and it is well known that it existed in an Arian version of the Apostles' Creed as early as the year 359 A.D. This article is also found in other undated MSS. of the Creed which have been assigned to the sixth and seventh centuries by eminent palaeographers. In attestation of this assertion, Sir T. Duffus Hardy has printed in parallel columns the Apostles' Creed as it appears in the Utrecht MS. and in another ancient Gallican Psalter of the year 560 A.D. They resemble each other, with a few very slight differences, in all respects, and they both have the descent into hell expressed in the words *descendit ad inferna*, a form of expression which exactly corresponds to the Greek word *καταβύβη*, but which had subsided before the eighth century into the form which has ever since prevailed in the church—namely, *descendit ad inferos*.

Perhaps, however, the most important argument in vindication of the early date assigned to this particular document is derived from the fact that the Psalter to which it is annexed is a Gallican, and not a Roman, one. The use of the Gallican Psalter, as distinguished from the Roman, is known to have prevailed in Britain before the mission of Augustine; and, from the answer that Gregory I. gave to Augustine in A.D. 597, it is plain that this version of the Psalms was permitted by the Pope, and was actually used in this country for about a century, after which time it was gradually superseded by the Roman Psalter. The whole argument stated briefly is this:—Here is a most costly volume, carefully written in a hand of the sixth century, containing a Psalter according to a version which was in common use in the sixth century, though almost entirely obsolete in the eighth century, containing besides the Psalter the Athanasian Creed, the Apostles' Creed, and other Church offices, such as were at that time, as they are still, in use; the handwriting throughout the volume being that of the same scribe, with the exception of the headings, which are in Roman uncials of the same period. Upon examining the text of the Creeds minutely to ascertain what indications of antiquity the spelling of the words presents, we observe that the contractions are very few in number, and that the same word is occasionally written at length and sometimes in a contracted form. Now it is well known that the later the writing of the first four centuries, the more does it exhibit contractions. Again, we find such words as *immensus* and *compellimur* written in the forms *immensus* and *compellimur*, and in another part of the manuscript *Lucan* for *Lucam*, a characteristic of the fifth, sixth, and seventh centuries. Another mark of great antiquity is the want of a separating space between the words, and there are very few such in the Utrecht MS. Further, the manuscript is illustrated throughout by drawings, the style of which is Roman as regards the dress and the armour of the figures and the shape of the buildings. With regard to the punctuation nothing need be said. It has plainly nothing to do with the original handwriting, but has been added in most capricious style at some later period. The original was, in all probability, entirely without stops. Again, the letter Y is formed so as very much to resemble the V, yet nevertheless it has in a very few places the superscribed dot which served to distinguish it from the V. Of this the Deputy-Keeper observes, "the less frequently the letter Y is found surmounted by a point, the more ancient have we a right to consider the MS. in which such letters occur." Again, the absence of ornamented initial capitals is a strong argument for a MS. being not later than the fifth, or at the very latest the sixth, century, and the Utrecht Psalter has only one ornamental letter throughout its 220 pages. This is the initial letter of the first Psalm, which is a beautifully illuminated B. Here we must confess we were at first a little at fault. Professor Westwood speaks of it as an Anglo-Saxon letter. Sir T. Duffus Hardy is as decidedly of opinion that it is of Irish character, and in this opinion he is supported by Irish antiquaries, of whom he quotes Mr. Brian O'Looney as describing it as a true Irish letter of a very old type. Now the handwriting of the MS., which is certainly not that of an Anglo-Saxon scribe, destroys the theory that this initial letter is Anglo-Saxon, unless indeed it was added at a later period, after this Gallican Psalter had found its way into this country. That it should be the composition of an Irish artist is by no means improbable, when it is remembered that artists from Ireland travelled into Greece and Rome as early as the fifth century, introducing a new style of art quite distinct from that of any other part of the civilized world, and which in time superseded the ornamental writings previously in vogue in those countries. The hypothesis is perfectly adequate to account for the initial B of the Psalter, and there is therefore no occasion to fall back upon the supposition that it may have been added at a later period.

The initial B is, however, the strong point which the impugnors of the antiquity of the MS. allege. But the difficulties of any theory which assigns it to a later century than the sixth rest on the fact that it is a Gallican Psalter which was not in use; whereas this volume must have been intended for the use of some royal or noble personage, if we may judge from the costly mode of its production; and, as the Deputy-Keeper forcibly argues, there is no conceivable reason why any one who wanted to palm off a forgery of the Athanasian Creed in a handwriting three centuries earlier than his own time should have taken the trouble to copy the whole of a Gallican Psalter in the same handwriting. Moreover, if a scribe is imitating handwriting, it is absolutely inconceivable that he should have been so careful as never to have made a mistake in his imitation and there is evidence enough in the

photogram of the four pages in this volume that the scribe was somewhat careless, for he has written *saluta* for *salute*, *Virgine* for *Virgine*, and *miserere* for *miserere*. What other mistakes there may be in the remainder, which we have not had the advantage of seeing, it is impossible for us to say; but we do not hesitate to say that three mistakes within so short a compass plainly show a very unusual carelessness in the writer, and would lead us to expect an occasional carelessness in the formation of the letters which he was copying. On the contrary, the letters are almost as exactly like each other respectively as if the document had been printed. We have detected only one letter which has two forms. It is the letter G, which is sometimes written in a fashion resembling our present capital G, and sometimes more like a C with a comma joined to it thus, C.

There is one argument which has been used by those who maintain a later date for this manuscript, which, if the assertion on which it is grounded could be established, would be fatal. Opposite to Psalms 150 and 151 are drawings of two organs with arrangements for the organist to play with his hand, of a kind which, it is said, did not exist till after the time of Charlemagne. This, we will admit, appeared to us a plausible objection; but the Deputy-Keeper states that, though the method of making such organs might not be known on this side of the Alps till the ninth or tenth century, "the question against this objection is settled by the fact that there is an excellent representation of an organ not very unlike that in the Utrecht Psalter carved on one of the early catacomb stones now inserted in the upper corridor leading to the library in the monastery of San Paolo Fuorimuri, near Rome, in which the player is depicted with outstretched fingers" (p. 27).

One of the most interesting features of the Report is the conjectural history of the document with which it closes. The author thinks the volume may have been brought over by Bertha, daughter of Charibert, King of France, who was married to Athelbert, King of Kent, and was accompanied by Bishop Luithard, who was her spiritual adviser. If the book had been intended for an Anglo-Saxon personage, the Latin would have had an interlinear translation. An additional conjecture is given. The Deputy-Keeper suggests that it may have been bequeathed by Bertha to the monastery of Reculver, where Athelbert built a palace. In support of this conjecture it is observed that the charter of this monastery appears formerly to have been annexed to the Utrecht Psalter, and to have been detached from it when the volume was rebound in the time of Sir Robert Cotton. This charter is now in the Cottonian Library (Augustus II. 2). The monastery was dissolved in 999, and its effects were removed to Canterbury, and amongst them probably was this MS., unless it had been previously removed by Bercuald, who was promoted from this abbacy to the Archbishopric of Canterbury. And at Canterbury in all probability the numerous existing copies of the drawings of this Psalter were executed.

And here we close our notice of this interesting Report with the remark that it seems to us entirely unanswerable, and to have proved to little short of mathematical demonstration that Bishop Ussher was right in ascribing this MS. to the sixth century.

JOHN'S INDIAN AFFAIRS.*

THE author of this contribution to the discussion on the principles of Indian administration appears to be under the impression that he has conceived his essays in a vein of humour. The subtle character of this may be inferred when we say that it is chiefly manifested by his invariably speaking of Mr. Grant Duff as "Duff," and by his having thrown his speculations into the form of an imaginary conversation between the author and a personage whom he styles Mr. John Bull. This idea, which is as playful as it is original, opens up expectations of a store of amusement for the reader which are hardly realized when we find that the joke is sustained throughout the whole of the essay which forms the bulk of the volume. And when we are told that My dear John will remember how the author opened the conversation by remarking, &c., and how My dear John here took breath and wiped his forehead, and fretted and fumed at the facts and figures relating to the mismanagement of John's estates—for by this ingenious disguise the author would be understood to refer to British India—and so on through the greater part of an octavo volume, the pleasantry becomes a little fatiguing. A clumsy machinery for introducing a discussion upon Indian affairs it would have been difficult to hit upon; but it has been so far successful as conveying the impression very faithfully that "John"—Mr. Elliot meaning thereby John Bull—found himself desperately bored by the conversation, as well he might be. Nor can we say honestly that the matter of the book redeems the manner. Mr. Elliot is no doubt thoroughly in earnest in believing that he is the only person with sound views on the nature of the reforms required in Indian administration. This point is pressed with the same naïve pertinacity as the witticism about "Duff" and "My dear John"; but we are bound to say that Mr. Elliot's notions on the subject appear to the last degree unpractical, not to say flabby, while he labours under misconception as to the facts of the subject-matter under discussion to an extent which must render his opinions hardly deserving

of sober consideration. Thus at p. 35 My dear John is told that there is no absurdity in the shape of taxation that his agents do not seem equal to proposing, and the wilder the scheme the better they seem to like it; after which remark, by the way, the author with commendable candour makes his dear John reply that, though in conversation a good deal of latitude is allowed, he would rather that Mr. Elliot stuck closely to the point; which strikes us as being about the most sensible observation in the book. Now it is probable enough that a lot of foolish proposals about taxation have been put forward at various times by writers in the Indian press and other irresponsible persons, but that the Government of India has ever proposed any extraordinary schemes for taxation is not true. And what is still more to the point, no additional taxation has been levied. An impression prevails in some quarters, and is not confined to Mr. Elliot, whose book implies it as a matter of fact, that the course of recent government in India has been to impose a great deal of additional taxation, thereby causing widespread discontent among the population. Far be it from us to praise the financial administration of India, which has usually been, and still is, the weakest part of it; but Indian financiers of late years have at least displayed the negative merit of leaving things alone. The only additional impost raised which could be directly felt by the people of India has been the Income-tax, and this is paid by only an infinitesimally small portion of the community. It has indeed been the subject of loudly expressed discontent; but it would be a curious misconception to take the Anglo-Indian press, which represents unreservedly the interests of the small European community, as in any way expressing the sentiments of the people of India. That press has denounced the Income-tax violently, and that press is the only manifestation of opinion which reaches us from India; but it is, we believe, no exaggeration to say, not only that the great bulk of the indigenous population are not affected by the tax, but that they have never even heard of the agitation which has been carried on against it.

But, indeed, Mr. Elliot's utterances on the subject of finance hardly admit of serious treatment. He regards it (p. 49), for example, as very ominous that, of the two hundred millions of Indian general and railway debt, only about nine per cent. is held by natives, although he himself explains it in the very next page by the fact that the natives can always invest their money at twelve per cent., and therefore do not care to invest it in railway shares. He seems not to be aware of the advantage to a poor country—where, owing to the absence of capital, interest is high—of being able to obtain money from richer countries on cheaper terms. A still more extraordinary blunder is contained in the statement (p. 191) that "India is suffering from an enormous annual depletion of cash to this country (variously estimated at from twelve to sixteen millions a year)." Who may be the wisacres who have framed these sagacious estimates we know not, but, without crediting Mr. Elliot with any great depth of information on the subject, he ought at least to have known that the fact is precisely the reverse, and that it is Europe, and not India, which undergoes "the enormous depletion of cash" to pay for the large excess of exports over imports in the trade of the latter. Whether that is a good thing for India is another matter, but a person who professes to enlighten the English public about that country should at least have mastered this elementary fact.

After these specimens of our author's critical faculties, it will hardly be expected that the constructive portion of his contribution to the subject will bear much examination. The way to govern India properly, according to Mr. Elliot, would be to follow the system pursued by Hyder Ali:—

We see him seated in full durbar surrounded by a number of his people, and he starts a subject on which he wishes to have the general opinion. Cautiously concealing his own views, he allows the fullest discussion, which was always the more free as it was always doubtful to which side he might be inclined. At the end he announced his own judgment, which he never allowed to be questioned.

Persons who have had experience of political discussions with the natives of India will smile at the notion of a free discussion by councillors, whether of native or European rulers, on any subject on which the ruler's opinion was kept back. But the point is not of practical importance, since Mr. Elliot is careful to tell us a page or two further on that he does not recommend Hyder Ali's example for adoption; for he proposes a system of councils—village councils, county councils, and provincial councils—whose opinions, assuming that they could be educated up to the point of offering any, are apparently not to be overruled by superior authority after the fashion of Hyder Ali or other despot. No taxes are to be levied except with the advice and concurrence of these councils, save only in the case of war; and as this is the only case in which additional taxes are likely to be raised, the reservation is a very safe one. The only objection we have to Mr. Elliot's scheme, which he claims to be a development of one proposed by Sir Bartle Frere, is that it is simply impracticable. According to our author's views, the first thing to be done is to settle how much revenue is to be raised; the spending of it is a secondary consideration. Most persons, however, are of opinion that the first duty of a Government in regard to finance is to determine what is the needful expenditure of a country; and next to provide the ways and means for meeting it. The greatest item of expenditure in India has always been, and is always likely to be, the army; and for regulating this and the other great branches of expenditure any sort of consultative councils, whether

* Concerning John's Indian Affairs. By Robert H. Elliot, Author of "Experiences of a Planter in the Jungles of Mysore." London: Chapman & Hall.

by villages or provinces, would have as much useful effect as the bird which sits on the wire has over the course of the telegrams passing through it. The highest functions such councils could be adapted to perform might be the supervision of the village schools in their respective districts, and perhaps the construction of petty village roads; the probable result of entrusting them with which latter duty would be that the roads in each district would be laid out in utter disregard of the direction taken by those of the neighbouring ones. Find out the opinions and feelings of the people by all means, if it is possible to do so, and act in accordance with them so far as may be practicable; but it is not necessary to set agoing an enormous machinery of sham councils for this purpose.

As to the general notion which seems to be floating in our author's mind, that financial economy is to be found in some indefinite plan of decentralization, the truth seems to be that such a scheme would be one simply provocative of extravagance. The limited plan of decentralization which has been carried out by the Indian Government, of making over certain local revenues to the provincial governments to be spent by them on local purposes, is no doubt a sound and proper measure; but that any useful result would arise from creating a number of semi-independent governments in place of one central authority, we take leave to denounce as a perfect delusion. The quasi-independent position at present occupied by the Madras and Bombay Governments is distinctly a source of needless expense, although the independence is rather sentimental than real, being the relic still remaining of a state of things when England was represented in India by three separate Powers, operating from different and widely separated bases. But so far as it is still maintained, it simply leads to waste of money in many ways; notably in the continuance of three separate armies, with separate establishments and departments kept up for the two smaller ones and absurdly overdone. The amalgamation of these three armies into one, and the reorganization of the Madras and Bombay Governments on the more reasonable footing of that provided for the much larger and more important province of Bengal, would be a far more effectual move in the direction of economy than the formation of any number of consultative councils.

OAKSHOTT CASTLE.*

MR. HENRY KINGSLEY in writing *Oakshott Castle* must, we should think, have been engaged in a feat somewhat similar to that of those great chess-players who, without seeing the boards, play half-a-dozen games at the same time. For no other explanation can we give of the utter confusion and absurdity of his latest novel, save the supposition that when he was writing it he had a good many others on hand also, while his memory was not powerful enough to keep the several plots from getting jumbled up together. It may, however, be the case that the present story, like many of its predecessors, has come out in parts, and was moreover written in parts. If this be the case, a certain indulgence should be shown for the hopeless confusion of the plot; for we should be sorry for any one, even if he were Mr. Henry Kingsley, who should in the way of business be compelled to read any portion of *Oakshott Castle* twice over. But without a second reading, and a most careful annotation of the opening chapters, even the author himself would be utterly unable to form any conception of the drift of the tale. At the end of the first volume we felt as bewildered as if we had been riding at an Easter Monday fair in a merry-go-round, and even by the end of the book all the characters seemed to be still spinning round us. With all this bewilderment there is an arrogance about Mr. Henry Kingsley's style of writing which is most provoking. In every sentence he tacitly lays claim to a kind of infallibility which we should scarcely expect to find even if the Pope were to turn novelist. On this account he is the most irritating of all authors. We will not go so far as to say that *Oakshott Castle* is the worst novel ever written; but, on the other hand, it lacks that one merit which saves many a bad novel, that it puts its readers to sleep. It keeps them awake, not to any enjoyment or good end, but as a gnat or a mosquito keeps one awake. We have read it because it was our duty to read it, but we read it almost in a passion. Mr. Henry Kingsley tells us that a case he saw in Bedlam was a great puzzle to him, as "it seemed to arraign the justice of God." A scarcely smaller puzzle, though it is one out of Bedlam, is the appearance of such a novel as this. It is surely at first sight contrary to all the doctrine of probabilities that at the same age there should be living one man capable of writing *Oakshott Castle* and another man capable of reading it. Even if they are both to be found together, yet one man—enthusiastic admirer though he may be—can scarcely want a whole edition to himself. We rather incline to the belief that Mr. Kingsley's supporters may be found in those University gentlemen whose weights are carefully recorded from day to day in the newspapers before the great boat-race, and those other University gentlemen whose reputation is gained, not by their heads, but their heels. No doubt while they are in training they have to be careful what they read, lest if they were to think at all they might unduly increase the weight of their brain, and so spoil the balance which should exist between the different parts of the body. Now Mr. Henry Kingsley's

story is confusing enough to render thinking useless, while it has an athleticism running through it which would suit very well with a training diet. We believe that raw beefsteaks are no longer consumed by our boating men. If they were, and if at the time when they were being eaten *Oakshott Castle* were read aloud, there would be a remarkable harmony between the physical and the intellectual diet. There is, too, in most of Mr. Henry Kingsley's characters that readiness to fight which is the delight of young readers and the distinguishing mark of the muscular Christian. There is a certain moderation, however, in the present work; for his hero, Lord Oakshott, only once asserts his willingness "to hit any man between the eyes," while "the deltoid" is only once shot through and only once clutched. Mr. Kingsley would not do amiss if he were to extend his knowledge of pugilistic anatomy, and in his next novel introduce a fresh muscle or two; for of the deltoid, old favourite though it is, we have had almost enough. The man who is shot recovers, but the unfortunate gipsy whose "naked deltoid with the hair is clutched" gets killed in the struggle. As, however, he was running away with the heroine's little boy, the hero's adopted son, and chose to fight an Irishman who took the lad's part, the reader does not regret him. The gipsy had shown all his skill in trying to avoid death, for when he felt himself clutched, and felt moreover the point of the Irishman's elbow pressed on his nose, down he judiciously went, "to avoid that horrible click in the neck which tells you that your man is dead." Unfortunately for him, the Irishman "Mr. Dennis made a grand mistake. He turned out his heels, consequently drew in his knees, and fell on his man." The natural result was "rupture of the colon and liver," and Mr. Dennis was tried for manslaughter and "relegated to twenty years' penal servitude." Had not Mr. Dennis drawn in his knees, two results would have followed. In the first place, the child would have been carried back to Oakshott Castle, and so a great deal of nonsense about him would not, at least in the particular form it takes, have been written; and in the second place, we should have been spared some further nonsense on the subject of England and Ireland. Mr. Kingsley must indeed have no sense of humour if he can end such an incident as this of the stealing of the child with anything but a grin, and the Irish must have lost all the humour they ever had if they receive his flattery with anything but a roar of laughter. It is no doubt pleasant for a nation to be praised, but to be praised at the end of a scene which would be hissed off the stage of the most melodramatic of the London theatres is a different matter. Mr. Boucicault will go a great way, but even he would not insult the "gods" by such a scene as this. He would not have the adopted son of a nobleman, the only son of the heir to his great estates, at the instigation of the child's grandmother, drugged first with chloroform, next with opium, carried off by gipsies, and made the subject of a grand fight between an Irishman and a gipsy. Or, if he had been guilty of such folly, he most certainly would not, before the curtain dropped,—as the dead man was being carried off on one side, and the conqueror was being "relegated" on the other side—have ventured on such a sentiment as Mr. Kingsley indulges in:—

Why can't we make Dennis, and such men as he, love us? I fear they are not permitted to do so. At the day of judgment it will go hard with those who separate Great Britain and Ireland. Every nation has found them out. We found them out centuries ago, and called them sinners; now they are saints, though their language is not exactly saintly.

It is almost impossible to explain the plot of such a story as this; for not only is it in itself as difficult to unravel as a tangled ball of string, but moreover it has a confusion superadded which is peculiar to Mr. Henry Kingsley's writings. For, beyond all writers we have ever come across, he is wanting in dramatic power. He introduces certainly a great number of characters; but then his characters, whether good or bad, whether they are heroes or murderers, or, as some of them are, now one, now the other, all talk exactly alike. If a man is going to save life, he talks like Mr. Henry Kingsley; or if a man is going to take life, he talks like Mr. Henry Kingsley. Since the days when the village schoolmistress used to tell her pupils whenever they came to a hard name in the Bible to say Jerusalem and pass on, there surely has never been such a confusion in literature. People who have in a high degree the power of remembering names may possibly in reading *Oakshott Castle* keep the characters separate in their own minds. But those who do not easily remember names—especially the names of people in whom they have not the slightest interest—will do well either not to read the story at all, or else to draw up as they go on a kind of biographical dictionary. For want of some such help as this we became utterly bewildered in a very few chapters, and even now that we have in some way got through the whole book we do not in the least know what it was all about. The hero himself is as great a puzzle as any one. For the first two volumes he is a highly honourable English nobleman, who is always ready to hit any one between the eyes or to plunge into the waves to rescue a drowning man, but who unfortunately has incurred the hatred of the mother and of the husband of the lady with whom he had been in love. He returns good for evil, pays down 60,000*l.* to save the husband, his cousin and heir, from a charge of forgery, and puts the wicked mother in the way of making a great deal of money by speculations in stocks. All to no purpose, however, as the mother sets "the Carbonari and Camorristi" to assassinate him, and the gipsies to drug and steal his adopted child, while the wicked husband is ready for any number of crimes, and, though our memory here fails us, does, if we are not deceived, commit a good many. But in Lord Oakshott there

* *Oakshott Castle*; being the Memoir of an Eccentric Nobleman. Written by Mr. Granby Dixon, and Edited by Henry Kingsley. 3 vols. London: Macmillan & Co. 1873.

was "a substratum of potential ferocity." When the wicked husband takes to beating his wife, whom Oakshott had wished to marry, and still wished to marry if she were once a widow, the owner of the substratum first takes to a course of swindling, and then determines, like a model and most muscular English nobleman of the present time, to murder his enemy. Happily for him the stolen boy turns up—a fine young man by this time, though his earliest memories had been wiped out by chloroform and opium—drops a primrose, and Oakshott is saved. At the same time, too, in a Sister of Mercy, Camilla Borichi turns up, though who she was and why she turned up we never made out. She, however, shared in a great degree with the white primrose the merit of the conversion. To make matters still more interesting, a day or two after in a dark room at the castle, her brother Borichi, the tenor, turns up also—his first appearance likewise—and fires a pistol at the hero. The bullet only passes through the wall, but in the struggle that follows a lamp is upset which served as a light for ships at sea. As there was a dreadful storm brewing, the wicked husband was of course at sea, and was straightway blown on to the rocks. His lordship, hearing the signal guns, and remembering that Borichi was "the finest swimmer in Naples," offers him his life if he will swim for it. "Lord Oakshott, Dickie (the boy of the chloroform), Borichi, and two fishermen were in the water at once." As every one might have expected, the good lord—for good he was, in spite of his slight errors as a financial swindler and a would-be murderer—saves the wicked husband, though only for a short while. He lives long enough by his confession to make the story still more confusing than ever, and then dies of an old wound. "The wound," the author observes, "was a singular one, but I cannot give the details. I can only say that I saw it, and would give the details to the doctor." His wife, who was a most model wife, it would seem, had tried to murder him. But there was some excuse for her, poor creature, as she was clearly mad. She did not, indeed, talk such nonsense as the same characters, but then she indulged occasionally in "a sharp double movement in staccato, probably in C, but ending with the wild wail of the Coyote. It was the Apache war-cry."

The absurdities of this book are so many and so varied that it is impossible in the space that we can waste on it to give our readers any but the slightest notion of them. Whenever Lord Oakshott has nothing better to do he rushes off to the House of Lords, and makes speeches which, though they lead to an invitation from the Prime Minister to him to join the Government, would disgrace Bedlam. Those readers who take no interest in politics—or what Mr. Kingsley calls politics—will find an account, if not interesting, at all events new, of a presentation at Court. "The most august person in the world," to quote our author, "if I humbly dare say such a thing, knows nearly everything in English society." Not only did she know that "Lord Oakshott was an extremely talented" (Heaven defend the Queen's English!) "and fantastic person," but also she knew that he had a most fascinating adopted daughter. But here Mr. Kingsley shall tell his own story:—

The most august person in the world was not only eager to receive her, but was very anxious to do so. The greatest Personage in the world had her wish.

The great Lady looked steadily as she saw the mass of maiden beauty and jewellery which came before her. It is a way which the greatest Lady in the world has.

What the most august person would have thought had she heard this mass of maiden beauty and jewelry talking a few minutes later to "a round foreign princess," we cannot pretend to say. Vulgar though her talk was with this distinguished lady, it did not quite come up to her talk with her adopted father, of which we will now give a specimen:—

"Dixie!" said Lord Oakshott.

"Well, how," said Dixie.

"You said you would not."

"Well, then, I won't; only if you don't go up and rag out, I will kick up the most immortal old tar river Jerusalem breakdown ever you heard. Melasses to a pine-apple! I'll burst the railings of your lot!"

A story is told how some years ago a Government official in the country, having a quarrel with a man who was in the same office, wrote up to his superior in London to complain that his comrade's conduct "was not only blasphemous, but ostensible"! What he meant neither he was ever able to explain nor was any one else ever able to find out. Not a little of Mr. Henry Kingsley's writing is equally eccentric in its defiance of all known canons of interpretation.

AMERICAN LITERATURE

THE second volume of the United States' Census for 1870* is less interesting than its predecessor, from the character, the limits, and the imperfection of the figures it contains. These are confined to what are called Vital Statistics, and chiefly to tables of mortality, which do less than most statistics to illustrate the condition and progress of such a people as the Americans. They are derived, not like ours from

a strict registration of births and deaths, but from a collection of reported deaths during the twelve months preceding the commencement of the Census. It will easily be understood by those who have had any experience in such matters, whether as collectors or students of figures, how very unsatisfactory and untrustworthy such a mode of reporting on the mortality of a country must necessarily be. The Superintendent points out several special causes for its failure. First, as the collection of the Census figures occupies some months, the deaths may have to be enumerated long after they occurred—perhaps as much as eighteen months—and after the lapse of so long a time many persons very imperfectly remember the date even of so important an event as a death in their house. Secondly, however imperfectly family memories may serve on such a point, they are far better than any others; and of the deaths which occur in boarding-houses, hotels, lodgings, and the like, of the deaths of travellers, loafers, and persons of unsettled habits or without family ties, scarcely any record is kept. Thirdly, in not a few cases death breaks up and disperses the family in which it occurs, so that nobody is left to be asked for a return; and, finally, the officials themselves are apt to neglect so troublesome and unsatisfactory a part of their functions. Altogether we need not be greatly surprised to learn that, according to the best conjecture that can be formed by experienced officials, the proportion of deaths returned to those occurring is very nearly as six to ten. Therefore, in making up the comparative tables, it is the practice of the Census compilers to add 41 per cent. to the numbers shown by the returns. On the face of the matter, figures so purely conjectural can be of little value for any but the broadest uses. The Report seems to suggest that, for purposes of internal comparison, the average deficiencies being generally the same, the figures may be treated as practically sufficient—that is, as showing the ratio, though not the numbers, of deaths in different places, and from different causes. We doubt whether there will not be such variations in the accuracy of the reports between wild and settled districts, and between deaths by slow and lingering disease, generally taking place at home, and those by sudden sickness, such as may overtake men anywhere, as will much affect the certainty of even comparative statistics. Still we can believe that, in the main, the broad and general comparisons are correct. If so, it is curious and satisfactory to note that, with our excellent registration, ensuring a fuller return of mortality than in many other countries, the health of England stands so high. The numbers surviving at different ages are much higher with us than in the United States for the years of infancy, indicating either better constitutions in the mothers, or more rational and careful rearing of the offspring—perhaps both. After infancy is past, the difference dwindles rapidly; but the advantage is still on the side of England till we reach the "allotted period" of human life. It would seem that there are more men of eighty and upwards in America than here; but we know how liable to exaggeration is the age of very old people; and, considering how many of the American specimens of extreme age are found among the negroes, who would be particularly liable to such an error, we suspect that our more accurate registries, rather than our inferior condition or climate, are answerable for the apparent disadvantage. Looking at the excellent and most convenient maps which indicate the comparative effects of different causes of death in different districts, we are struck by some unexpected peculiarities. Consumption is, as might be anticipated, chiefly prevalent in the North. But it is not so easy to see why it should be in an especial degree the native scourge of New England and the eastern part of the Lake shores, of Wisconsin and Michigan, and of patches running down into Tennessee, while Pennsylvania and the region west of Wisconsin are comparatively little afflicted by it; or why in the South it reappears, though more mildly, at the mouths of the Mississippi and Alabama, and on the coast of Texas, while the miasmatic districts of the Atlantic seaboard seem to escape it. Malaria is the scourge of the non-consumptive regions, appearing at its worst in South Carolina and Florida, and ranging over all the South, with the exception of certain patches in the interior, and, to our surprise, on the coasts of Alabama and Louisiana. The consumptive districts are for the most part free from it. Typhus and its tribe are found most dangerous in the West and in the State of Georgia, including a portion of the latter, which appears almost blank in the Malaria map. The dark green patches which mark the worst ravages of intestinal disease are scattered apparently at random; but in a less severe degree they seem to spread in every direction from Lake Michigan, reaching southward as far as Kentucky. The Rain Chart of the United States makes its appearance in this volume. It is on too small a scale, but deserves attentive consideration. The statistics of lost senses and of idiocy are also to be found here, as well as those relating to births, ages, and so forth.

It is remarkable that a man of the political eminence and literary powers of the late Vice-President of the Confederacy should think it worth his while to write a school-book of the simplest kind, and designed, it would seem, only for the junior classes.* For, considering how large a place in American estimation is filled by the history of the States, we can hardly imagine

* *Ninth Census of the United States. Vol. II. Vital Statistics; embracing the Tables of Deaths, Births, Sex, and Age; to which are added the Statistics of the Blind, the Deaf and Dumb, the Insane, and the Idiotic. Compiled, under Direction of the Secretary of the Interior, by Francis A. Walker, Superintendent of the Census. Washington: Government Printing Office. London: Trübner & Co. 1872.*

* *A Compendium of the History of the United States from the Earliest Settlements to 1872. Designed to answer the purpose of a Text-book in Schools, &c. By Alex. H. Stephens, Author of "A Constitutional View of the Late War between the States," &c. &c. New York: E. J. Hale. London: Trübner & Co. 1873.*

that a mere compendium of that history, hardly exceeding in size one of those volumes of Mrs. Markham so familiar to our childhood, should be intended as a text-book in any but the elementary classes of an American school; and the very poor woodcuts by which it is defaced appear to indicate pretensions equally humble. We turned of course with especial interest to Mr. Stephens's treatment of the late Civil War. As we anticipated, he speaks in a thoroughly neutral tone, but he introduces one fact which, until the justice of the Federal cause was demonstrated by success, Northern sympathizers always decried with reckless vehemence—the fact that Mr. Seward promised to evacuate Fort Sumter, and implicitly repeated that promise after the fleet had sailed from New York to relieve it; so that the first blow was struck, and treacherously struck, by Mr. Lincoln's Cabinet, and the bombardment of Sumter was an act of pure self-defence absolutely forced on the South. Mr. Stephens avoids comment; but those who read this passage, and note at the same time the effect produced at the North by the bombardment, cannot well avoid seeing that the two sections were hurried into war by a faction which feared the peaceable achievement of secession.

The Report of the Controller of the Currency for the year 1872* is not one of the most interesting of that series. It brings out, however, one or two noteworthy incidents; such as the attempt of Congress to distribute the currency, by the medium of the banks, not according to the demand made upon the Treasury (which, in the case of an inconvertible currency, would of course incur the risk of over-issues), but according to the supposed necessities of each State, as inferred from its wealth and population; the adoption of the principle of the English Bank Act, in forcing banks of issue to maintain an adequate reserve, though this reserve is in America a security for depositors only, the currency being secured by the public credit; and the unfairly heavy special taxation imposed on the banks generally, both by the States and by the Federal power, under the mistaken impression that they were making enormous gains and could afford to be victimized.

The first part of the *Bibliographia Catholica Americana*† contains what is intended and professes to be a complete list of all Catholic works published or republished in the United States from the Revolution down to 1820. The works published from 1820 to 1873 will be separately classified in subsequent publications as original, translations, and republications. The author gives us something more than a mere catalogue—a description, often careful and sufficient, of the character and purpose of each important work, and here and there some curious bits of literary or bibliographic information.

We have received this month a number of treatises and journals on Education‡ in various countries and under different aspects, which, if better arranged, might be described as going far to constitute a cyclopædia of educational systems. It is not yet complete; but, so far as it goes, it is wonderfully full, and is one of those masterpieces of official compilation which we have so often noticed as the principal purpose of the existence of many American departments, and the peculiar boast of many more. On nearly every subject treated in these volumes the author has collected the completest accounts that could be obtained from every civilized country of its own method or methods, school or schools; he has brought together into solid volumes the educational disquisitions of eminent pedagogues, philosophers, and practical statesmen, from Roger Ascham and Sir Thomas More down to the present Bishop of Exeter; from Lord Bacon and Milton down to Mr. Lowe. He reports upon Cornell College and the *École Polytechnique*; on the National School systems of Anhalt and of Schwyz, of Hesse and of France. Of course, though all these volumes have been recently published, we have in them the fruits of years of official labour and official opportunities, beginning so long ago as 1836; but it is no small credit to a man, even in so long a life, to have amassed so much useful information, and to have rendered it so thoroughly available to the public. In most cases, too, it seems to be well kept up to the latest times, and we have notes of changes produced by the war between Germany and France. The first part of the series before us consists of the sixth and seventh volumes of the National Series of the *American Journal of Education*, which is less a journal than a periodical issue of

papers on all manner of educational subjects. We find, for instance, in the beginning of the first volume an elaborate collection of papers on Special Education in Great Britain, which would fill an ordinary octavo volume; and subsequently papers of portentous length, in that trying small type of which Americans are as tolerant as if eyesight were either worthless or imperishable, upon the Universities of the Middle Ages, and the Primary Schools of Germany. The latter subject is taken up again in another volume entirely devoted to the National Education of the German States. Here we find not only a full account of the schools as they are, of their different grades, of the course of study in each, and the connexion between them, with notes on the strength or weakness of particular points in the system, but, in the more important cases, a history of the politics of education which would in itself form a valuable treatise. In a word, there is in the volume the substance of several interesting Reports, two or three good treatises, and half a score of excellent review articles. Another and still more solid volume deals at almost equal length with the education of the remainder of the Continent; with the school organization and schooling, Universities and colleges, learning and studies, not only of France, Russia, and Italy, but of Sweden, Denmark, Spain, and Holland, Belgium, Portugal, and Greece. Another volume is promised which shall do for England and America what these have done for Continental Europe. In the meantime we have a volume, somewhat misentitled, for it has not much to do with English pedagogy, or with English schools as they are or ever were, but is rather a collection of all the most remarkable utterances on educational and cognate questions, of Ascham, Bacon, Milton, Wotton, Locke, and Herbert Spencer, as well as of Cowper and Shenstone; a reprint of articles written for the educational journal we have already described, or of old treatises, among the most curious and interesting of which is an anonymous "Plan of an Industrial School," which some quiet thinker, undisturbed by the passion and clamour of civil discord, found leisure to write and print in or about 1647. To this we must add a collection of essays and extracts, old and new, clerical and lay, on "Studies and Conduct" and on Female Education; among the authors of which miscellany are St. Jerome and Mgr. Dupanloup, Burleigh and Gladstone, Sidney and Bulwer, Newman, Huxley, Mill, Froude, and Carlyle, as well as Franklin and Lalor, Humboldt and Raumer. Finally, we have two volumes which deal with Technical and with Military Education respectively. As an example of the completeness and minuteness of treatment in these, let us look at the account of the *École Polytechnique*, the first of the military schools described in the latter volume. It begins by condensing into fifty closely printed octavo pages the 440 quarto pages in which M. Leverrier, as Reporter of a Commission of Inquiry, discussed the initiatory studies and examination, and the method and manner of teaching the principal branches of mathematical science, which abridgment forms in itself about as striking a treatise on the latter subject as we could wish to read. Six pages are then given to the history of the institution; twenty to a full description of its objects, management, method, and system of discipline and examination, and forty to a minute analysis of the programme of instruction. From this account we can learn almost everything relative to the system of the *Polytechnic School* that can be understood without actual inspection. Other military colleges are described almost as fully, and the entire system of military education pursued by the great military Powers is traced through the regimental school, the *lycée*, the general military institute, the special schools of the staff, engineers, and artillery; and not a point is omitted that can help Americans to understand how the soldiers of other countries are trained to their duties, and how their education is made to subserve their promotion. Of course the greater part of this matter is not original; but even to compile, arrange, and digest the immense body of materials needed to produce these eight solid volumes must have required labour so great that we cannot be surprised if here and there the arrangement appears clumsy and defective.

Connected with the *Educational Journal*, as having been written at the suggestion of the editor and intended for publication therein, are Mr. William Russell's Lectures on Normal Training*, addressed to young men intended for the scholastic profession. As so intended, there is an independence and novelty in their suggestions as to the subjects and method of instruction, and the mode of developing the mental and moral faculties by other means than the ordinary routine of grammar and abstract mathematics, such as we are accustomed to find in attacks on the whole existing system of school training, but rarely in counsels addressed to teachers by those who take part, as administrators and directors, in the working of that system. Some of these lectures well deserve the notice of young men who go, fresh from fifteen years of Latin, Greek, and Euclid at college, to teach Latin, Greek, and Euclid to a new generation of boys, with attention as concentrated on those particular subjects as if the world held nothing else worth knowing or knowable.

What will be the tone and topics of a work entitled *The Religion of Humanity*†, the main purpose of which is to contrast an

* Annual Report of the Controller of the Currency of the United States. Washington: Government Printing Office. London: Trübner & Co. 1873.

† *Bibliographia Catholica Americana: a List of Works written by Catholic Authors and published in the United States*. By Rev. J. M. Finotti. Part I., from 1784 to 1820 inclusive. New York: Catholic Publication House. London: Trübner & Co. 1872.

‡ *The American Journal of Education*. Edited by Henry Barnard, LL.D. Vols. VI. and VII.

National Education: Systems, Institutions, and Statistics of Public Instruction in different Countries. Part I. Europe; German States. Part II. Europe; France, Belgium, Holland, Spain, Italy, Russia, Sweden, Turkey, Greece, &c. New York: Steiger.

Military Schools and Courses of Instruction on the Science and Art of War in France, Prussia, Austria, Russia, Sweden, Switzerland, Sardinia, England, and the United States. New York: Steiger.

Technical Education: Systems, Institutions, and Statistics of Scientific Instruction applied to National Industries in different Countries. Vol. I. New York: Steiger.

Letters, Essays, and Thoughts on Studies and Conduct, addressed to Young Persons by Men eminent in Literature and Affairs. Hartford: The "American Journal of Education" Office.

English Pedagogy, Education, the School, and the Teacher in English Literature. Edited by Henry Barnard, LL.D. Philadelphia: Lippincott & Co. London: Trübner & Co. 1873.

* *Normal Training, the Principles and Methods of Human Culture*. A Series of Lectures addressed to Young Teachers. By W. Russell, Editor of the "Boston Journal of Education," 1826-29, and Principal of the New England Normal Institute. Lancaster: Mass. New York: C. Brownell. London: Trübner & Co. 1873.

† *The Religion of Humanity*. By O. B. Frothingham. New York: D. G. Francis. London: Trübner & Co. 1873.

imaginary "Christ of Humanity," spoken of as if he were a real personage, with the historic Author of Christianity, our readers can guess without needing our assistance. We shall not, therefore, say more than that Mr. Frothingham's book is—what might be expected.

*A Manual of Gesture**, illustrated with woodcuts exemplifying the manual and bodily attitudes and movements proper to the expression of ideas and emotions, which in their turn are exemplified by phrases generally selected from Scripture, may find many readers in a country so given to rhetorical indulgence as America. It will tend, we fear, to teach some of them to make themselves more ridiculous than their natural gifts would have obliged them to appear, even when figuring on the stump or in the pulpit.

The *Wishing Cap Papers*† are mostly familiar to readers of the light literature of the last generation as among the more unpretentious and readable of Leigh Hunt's writings in various magazines. They are professedly here collected for the first time.

The authoress of *Woman in American Society*‡ undertakes to demonstrate two points, against which the instinctive feeling of mankind will kick pretty vigorously. The first is that, as actually existing in the world, and particularly in America, women are sickly, senseless, soulless, heartless, useless creatures, inferior not only in intelligence and vigour of mind, but even in modesty and delicacy of spirit, to the stronger sex. The second is that this is all man's fault, and only to be remedied by elevating women to the rank, work, and dignity of manhood. How is it that it never occurs to such writers that, if nature had fitted women to be men, that fitness would have asserted itself long ere now in the sex generally, as it does in the very few women who have really masculine intellects? It is by women, moreover, not by men, that the social law which restrains the vagaries of "strong-minded" women is enforced. How is this, if the actual position of women is constrained and unnatural, and their real power equal to that of men? How come men to have enslaved the wills as well as the actions of equals?

Bits of Talk about Home Matters§ is, on the other hand, a quiet, sensible, practical little work; a collection of short kindly papers on various topics of social and domestic interest, and notably on what the authoress considers common errors or shortcomings in the treatment of children.

Mr. Timrod, a Southern poet, politician, and journalist, among the many to whom the war brought ruin and misery, has left behind him a sufficient number of graceful and often spirited poems to fill, with a brief memoir of the author, a small unpretending volume.¶ Mr. Walt Whitman, on his part, has given the world another rhapsody|| which has at least one recommendation as compared with some of its predecessors—that there is very much less of it.

* *A Manual of Gesture*; embracing a complete System of Notation, with Principles of Interpretation and Selections for Practice. By Albert M. Bacon, A.M., Professor of Elocution. Chicago: Griggs & Co. London: Trübner & Co. 1873.

† *The Wishing Cap Papers*. By Leigh Hunt. Now first Collected. Boston: Lee & Shepard. London: Sampson Low & Co. 1873.

‡ *Woman in American Society*. By Anna G. Woolson. Boston: Roberts Brothers. London: Sampson Low & Co. 1873.

§ *Bits of Talk about Home Matters*. By H. N. Boston: Roberts Brothers. London: Sampson Low & Co. 1873.

¶ *The Poems of Henry Timrod*. Edited, with a Sketch of the Poet's Life, by Paul H. Hayne. New York: Hale & Son. London: Trübner & Co. 1873.

|| *After all Not to Create Only*. Recited by Walt Whitman on Invitation of Managers American Institute on Opening their Fortieth Annual Exhibition, New York, Noon, September 7, 1871. Boston: Roberts Brothers. London: Trübner & Co. 1872.

NOTICE.

We beg leave to state that we decline to return rejected communications; and to this rule we can make no exception.

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